

Is there something you have always wanted to know from a law firm partner's perspective — but were afraid to ask? A new Law360 column may have the answer.

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From: Republican Liberty Caucus of Ohio
Sent: Monday, January 9, 2017 12:21 PM
To: info@rlcoh.org
Subject: REPUBLICAN LIBERTY CAUCUS OF OHIO SEES OPPORTUNITY IN ELECTION OF TIMKEN TO LEAD ORP

**REPUBLICAN LIBERTY CAUCUS OF OHIO SEES OPPORTUNITY IN
ELECTION OF TIMKEN TO LEAD ORP**

(Columbus, Ohio) January 9, 2017: The Republican Liberty Caucus of Ohio (RLCOH) congratulates Jane Timken in her election as Chairwoman of the Ohio Republican Party.

While many have correctly framed this race between Matt Borges and Jane Timken as a battle between the Kasich and Trump camps, there is much more here than first meets the eye.

Says RLCOH Chairman, Bill Yarbrough, "We were very excited to see Ms. Timken run on a pledge to correct some very specific problems with the ORP and are confident these matters will be addressed.

Specifically, the RLCOH has been vocal about:

- ORP leadership violating its own by-laws in advocating for the defeat of specific Republican candidates for office.
- ORP leadership expressing reluctance to stand for liberty ideals in a party platform like Right to Work, more freedom, less regulation, less taxation, and smaller budgets.
- ORP leadership utilizing party funds for questionable practices.

Ms. Timken appears poised to tackle these issues head-on.

RLCOH Board member Ann Becker cast her vote for Ms. Timken as a State Central Committee member from Butler County. "Jane has the leadership style needed to make the Ohio Republican Party one of the strongest parties in the nation. Her focus on transparency and inclusiveness of differing ideas will help strengthen the relationship between grassroots Republicans and the Party. I am excited to work with her."

-30-

The Republican Liberty Caucus is a 527 voluntary grassroots membership organization dedicated to working within the Republican Party to advance the principles of individual rights,

limited government and free markets. Founded in 1991, it is the oldest continuously-operating organization within the Liberty Republican movement.

More information on the Republican Liberty Caucus of Ohio is available at <http://www.rlcoh.org>. The Republican Liberty Caucus of Ohio is on Facebook at <http://www.facebook.com/RLCOHIO>, and Twitter at <http://www.twitter.com/rlcohio>.

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To: Rep07
Subject: Law360 Names Practice Groups Of The Year



Tuesday, January 10, 2017



TOP NEWS

Law360 Names Practice Groups Of The Year

Law360 congratulates the winners of its 2016 Practice Group of the Year awards, the law firms that racked up victories in litigation and closed the big deals to make their mark among clients and throughout the legal industry.

The Firms That Dominated In 2016

Law360's Firms of the Year rose above the competition in 2016 by earning a combined 20 Practice Group of the Year awards on the strength of work that helped their clients attain game-changing judgments and close record deals.

Analysis

Obama Leaves Behind Mixed Legacy On Bank Regulations

When President Barack Obama exits office this month, he will leave behind a far safer banking system than the one he inherited in 2009, but observers say that for all of the sweeping changes his administration put in place, his legacy on financial regulation will be mixed.

Analysis

Fintech Firms Worry Trump Tax Plan Will Leave Them Behind

LAW FIRMS

Akin Gump
Alston & Bird
Andrews & Springer
Arent Fox
Arnold & Porter Kaye Scholer
Baker & McKenzie
Baker Botts
Bass Berry
Bernstein Litowitz
Beveridge & Diamond
Bird & Bird
Boies Schiller
Bowman and Brooke
Center for Constitutional Litigation
Chadbourne & Parke
Cleary Gottlieb
Cohen Milstein
Cooley
Covington & Burling
Cravath Swaine
Crowell & Moring
DLA Piper
Davis Polk
Davis Wright Tremaine
Dean Ringers

Plans laid out by President-elect Donald Trump and the Republican-led Congress to advance corporate-only tax reform without simultaneously tackling individual income taxes has financial-technology startups and other entrepreneurs worried about staying competitive against larger corporations in 2017.

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Barring Out-Of-State Attys Is 'Discrimination,' DC Circ. Told

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Dentons

Dewey & LeBoeuf

Diamond McCarthy

Dorsey & Whitney

Faegre Baker

Fenwick & West

Fish & Richardson

Fried Frank

Frost Brown Todd

Gibson Dunn

Goodwin

Greene Broillet

Hagens Berman

Hilyard Bogan

Hogan Lovells

Hunton & Williams

Irell & Manella

Jackson Lewis

Jenner & Block

Jones Day

Kasowitz Benson

Katten Muchin

Keker & Van Nest

Keller and Heckman

Kelley Drye

King & Spalding

Kirkland & Ellis

Kramer Levin

Labaton Sucharow

Latham & Watkins

Lieff Cabraser

Littler Mendelson

Mayer Brown

McAfee & Taft

McDermott Will

McGuireWoods

McKool Smith

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SEC, Timbervest Disagree Over Due Process, Industry Bars

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ENERGY & ENVIRONMENTAL

Congressman To Try Again With Grand Canyon National Bill

A bill to permanently protect an area near the Grand Canyon — which includes sacred Native American cultural sites and ecologically sensitive regions — from new uranium mining was reintroduced by U.S. Rep. Raul Grijalva, D-Ariz., on Friday, who expressed "profound disappointment" in the Obama administration's decision not to establish a national monument there.

NY Nuke Plant Subsidies Flout Feds, Power Coalition Says

Power providers and energy groups challenging New York state's plan to subsidize three

Mets Schiro
Miller & Chevalier
Morgan Lewis
Morrison & Foerster
Morvillo Abramowitz
Nossaman LLP
O'Melveny & Myers
Orrick Herrington
Outten & Golden
Patterson Belknap
Paul Hastings
Paul Weiss
Pillsbury Winthrop
Pirkey Barber
Priddy Cutler
Proskauer Rose
Quinn Emanuel
Reed Smith
Robbins Geller
Rogers & Hardin
Ropes & Gray
Sanford Heisler
Seward & Kissel
Seyfarth Shaw
Shearman & Sterling
Sheppard Mullin
Shook Hardy
Shulman Rogers
Simpson Thacher
Sirote & Permutt
Skadden
Spiegel & McDiarmid
Sprague & Sprague
Squire Patton Boggs
Steptoe & Johnson LLP
Sullivan & Cromwell
Susman Godfrey
Sutherland Asbill

struggling nuclear power plants as part of its clean-energy program said Friday that the state hasn't cited a single case in which a similar program survived a federal preemption and U.S. Constitution commerce clause challenge.

HEALTH & LIFE SCIENCES

Wrongful-Birth Ban Floated In Mississippi Legislature

A Mississippi lawmaker proposed legislation Thursday that would bar "wrongful-birth" damages

IP & TECHNOLOGY

Arent Fox, MWE Attys Among New USPTO Advisory Members

The U.S. Patent and Trademark Office rolled out a slew of new members for its advisory committees on Monday, placing a longtime member from Arent Fox LLP as chair of one group and bringing on fresh faces from McDermott Will & Emery LLP, Mayer Brown LLP and Jones Day.

TRANSPORTATION & INFRASTRUCTURE

Supreme Court Rejects Flight-Sharing Company's Appeal

The U.S. Supreme Court rejected on Monday Flytenow Inc.'s request to consider an appeals court decision that affirmed the Federal Aviation Administration's determination that pilots who post on its flight-sharing website must have commercial licenses.

Rail Unions Sue Christie, NJ Transit Over Engineer DUI Law

A pair of railroad labor unions filed suit Monday in New Jersey federal court to undo a state law that prohibits New Jersey Transit engineers from operating passenger trains if they have a suspended or revoked driver's license due to a

Troutman Sanders
Venable LLP
Vinson & Elkins
Volkov Law Group LLC
Wachtell Lipton
Weil Gotshal
White & Case
Wiley Rein
Williams & Connolly
WilmerHale
Wilson Sonsini

COMPANIES

AARP Inc.
AT&T Inc.
Alcoa Inc.
America Fujikura Ltd.
American Bankers Association
American Federation of Labor and Congress of Industrial Organizations
American International Group Inc.
Association of Tennis Professionals
Braskem SA
CTIA
Center for Biological Diversity Inc.
Consumer Action
Consumer Federation of America
Consumer Reports
Dell Inc.
Dow Chemical Co.
Dynegy Inc.
E. I. du Pont de Nemours and Company (DuPont)
EMC Corporation
Eide Bailly LLP
Electronic Frontier Foundation
Entergy Corporation
Equifax Inc.

DUI conviction, saying it is preempted by federal law.

EMPLOYMENT

Ky. Gov. Signs Fast-Track Right-To-Work Bill

Kentucky became the 27th so-called right-to-work state on Saturday when Gov. Matt Bevin signed a bill making it illegal to require that workers pay union dues as a condition of employment, four days after it was introduced by a new Republican majority in the Kentucky House of Representatives.

OSHA Injury Reporting Rule, Database Ripped By Chamber

The U.S. Chamber of Commerce and other industry groups are looking to prevent the Occupational Safety and Health Administration from implementing its injury and illness recordkeeping reporting rule, saying the proposed online database violates businesses' First Amendment rights and oversteps OSHA's authority.

NY Aims To Ban Wells Fargo-Styled Scammers From Banking

New York Gov. Andrew Cuomo pitched banning from the banking and insurance industries "bad actors" who commit frauds like Wells Fargo & Co.'s opening of thousands of unauthorized accounts to boost its sales numbers, according to a proposal Sunday from the governor's State of the State address.

NLRA Preempts Ill. Town's Right-To-Work Law, Judge Say

An Illinois town can't enforce a union-weakening "right-to-work" ordinance because it's preempted by federal labor law, an Illinois federal judge ruled on Saturday.

Ex-Pa. Justices Drop Judicial Retirement Age Vote Challenge

Exelon Corporation
Facebook
Fannie Mae
Freddie Mac
Friedman LLP
Google Inc.
Home Depot, Inc.
International Brotherhood of Electrical Workers
International Brotherhood of Teamsters
International Union Of Operating Engineers
Kmart Corp.
Liberty Mutual
Lyft Inc.
Microsoft Corporation
NBCUniversal Inc.
NFL Enterprises LLC
NJ Transit Corp.
NRG Energy Inc.
National Association of Home Builders
National Association of Manufacturers
New York Times Co.
Och-Ziff Capital Management Group LLC
Odebrecht SA
Orthofix International N.V.
Public Knowledge
Spokeo Inc.
SunEdison LLC
Talen Energy Corp.
TeliaSonera AB
Teva Pharmaceutical Industries Limited
Timbervest LLC
U.S. Chamber of Commerce
United Brotherhood of Carpenters

The firm representing two former Pennsylvania Supreme Court justices in their fight against what they argued was a misleading ballot referendum to raise the mandatory retirement age for state judges said Friday it would not appeal a recent decision dismissing their challenge.

Unions Cite Ill. Judge's RTW Ruling In Ky. County Appeal

A group of Kentucky unions, including chapters of the AFL-CIO, told the Sixth Circuit on Monday that a recent Illinois federal judge's ruling that struck down a local right-to-work ordinance supports their argument that the appellate court incorrectly upheld a similar ordinance enacted by Hardin County, Kentucky.

PRIVACY & CONSUMER PROTECTION

11th Circ. Won't Revive Privacy Suits Over Fla. Driver Info

The Eleventh Circuit on Monday affirmed the dismissal of a Florida couple's cases against local governments and their workers over allegedly improper access of their personal information through state driver and motor vehicle records, ruling that their claims are time-barred.

5th Circ. Asked To End Block Of Transgender Bathroom Rule

The U.S. government on Friday asked the Fifth Circuit to overturn an injunction blocking an Obama administration rule incorporating gender identity discrimination as part of sex discrimination under Title IX, calling the injunction overbroad and unnecessary.

Sens. To Push For Greater Russia Sanctions After Hacks

Senior senators on the Armed Services Committee plan on introducing bills that would target Russia's financial and energy sectors, in response to the campaign intended on using hacks and other measures to interfere in the

United States Steel Corporation
Verizon Communications
VimpelCom Ltd.
Wal-Mart Stores Inc.
Wells Fargo & Co.
Zimmer Biomet Holdings Inc.

GOVERNMENT AGENCIES

Bureau of Industry and Security
Central Intelligence Agency
Commodity Futures Trading Commission
Commonwealth of Kentucky
Consumer Financial Protection Bureau
Delaware Court of Chancery
Department of Commerce
Equal Employment Opportunity Commission
European Commission
Federal Aviation Administration
Federal Communications Commission
Federal Deposit Insurance Corp.
Federal Energy Regulatory Commission
Federal Railroad Administration
Federal Reserve System
Financial Stability Oversight Council
Florida Department of Highway Safety and Motor Vehicles
Food and Drug Administration
Internal Revenue Service
International Trade Administration
Mine Safety and Health Administration
National Institutes of Health
National Labor Relations Board
Navajo Nation

U.S. presidential election, they said over the weekend.

Reps. Reintroduce Widely Supported Email Privacy Act

A pair of D.C. lawmakers on Monday reintroduced federal legislation aimed at barring the government from accessing stored electronic communications held by service providers without a warrant, a proposal which received wide bipartisan support last year but ultimately stalled in the U.S. Senate.

AEROSPACE & DEFENSE

DHS Says Election System Is 'Critical Infrastructure'

U.S. Department of Homeland Security Secretary Jeh Johnson on Friday announced that he was designating the county's election systems as critical infrastructure, saying that the move will make the systems a priority for DHS protection, in the wake of increasingly sophisticated cyberattacks.

Sikorsky, DOD Get 9th Circ. Reversal Of FOIA Document Bid

The Ninth Circuit on Friday reversed a Freedom of Information Act order requiring Sikorsky to hand over defense contracting documents to the American Small Business League, finding that certain information involving the aircraft manufacturer is protected from disclosure to competitors.

INTERNATIONAL TRADE

Feds Revise Export Controls On Spacecraft

The U.S. departments of State and Commerce on Monday issued final rules adjusting export controls on satellites and other similar spacecraft and related equipment, loosening restrictions on exports of certain remote imaging devices, among other changes.

Nuclear Regulatory Commission
Occupational Safety and Health Administration

Office of the Comptroller of the Currency

Securities and Exchange Commission

U.S. Attorney's Office

U.S. Department of Agriculture

U.S. Department of Defense

U.S. Department of Health and Human Services

U.S. Department of Homeland Security

U.S. Department of Justice

U.S. Department of the Interior

U.S. House of Representatives

U.S. Patent and Trademark Office

U.S. Senate

U.S. Supreme Court

Commerce To Form Trade Enforcement Advisory Council

The U.S. Department of Commerce is set to establish an advisory council on trade enforcement to make recommendations about how to ensure compliance from trade partners and to enhance the country's commercial competitiveness, according to a notice in the Federal Register set to publish on Tuesday.

US Raps China For Shortcomings In IP, Steel, Antitrust Policy

Nearing the end of its tenure, the Obama administration on Monday gave a stern rebuke to China for its failure to obey a litany of World Trade Organization rules, ripping Beijing for its shortcomings in intellectual property rights enforcement, shady competition laws and protectionist steel policies.

TAX

High Court Snubs Michigan Health Plan Tax Dispute

The U.S. Supreme Court declined Monday to take up Self-Insurance Institute of America Inc.'s challenge to a Michigan tax on health insurance plans, despite having told a lower appeals court in March to reconsider its upholding of the tax.

States Look For Quick Win In Obamacare Medicaid Tax Row

Six states moved for a win in their fight against the Affordable Care Act tax levied on state Medicaid managed care organizations, telling a Texas federal judge on Friday that the fee exceeds the federal government's authority and violates the U.S. Constitution.

NATIVE AMERICAN

NY, Entergy Strike Deal To Close Indian Point Nuke Plant

New York state officials and Entergy Corp. said Monday that they've brokered a deal to shut

down the Indian Point nuclear plant just north of New York City by 2021, ending a lengthy fight over a facility opponents say poses environmental and safety risks to the largest metropolitan area in the U.S.

TELECOMMUNICATIONS

Groups Urge FCC Review Of Wireless Roaming Charges

The Federal Communications Commission should examine the impact of international roaming fees from background data on smartphones to ensure wireless customers aren't being taken advantage of, a group of consumer advocates said Friday.

Blackouts Show Need For Retransmission Reform, FCC Told

The American Television Alliance pushed the Federal Communications Commission on Friday to consider again its rules guiding negotiations between pay-TV providers and broadcasters, saying widespread programming blackouts demonstrate that current rules aren't protecting the public.

FCC Warns TV Stations Over Political Transparency Issues

The Federal Communications Commission on Friday reprimanded several TV stations for failing to follow requirements designed to ensure transparency about political advertising in 2014 and 2016, clarifying its rules and declining to pursue enforcement but also warning of possible future action.

EXPERT ANALYSIS

FCPA Predictions For 2017

Everyone is predicting major changes in the U.S. Department of Justice's Foreign Corrupt Practices Act enforcement. I do not share this view. Frankly, FCPA enforcement is more bipartisan than other controversial enforcement programs, and the DOJ's FCPA program is very

profitable, says Michael Volkov, CEO of The Volkov Law Group LLC and a former federal prosecutor.

An Unwelcome Gift From The IRS On Conservation Easements

Just before Christmas, the IRS issued Notice 2017-10, declaring some conservation easement donations to be "listed transactions," and giving a chill to year-end giving plans. The agency's move was arbitrary and ham-fisted, made without opportunity for constructive comment, and endangers this vital conservation funding mechanism, say Ronald Levitt and David Wooldridge of Sirote & Permutt PC.

Easing The Process For Requesting Experimental Drugs

The 21st Century Cures Act passed last month includes a key provision that will require pharmaceutical companies to publicly provide policies for evaluating experimental drugs requests. This law ensures that seriously ill patients in search of their last hope will at least know how to contact pharmaceutical companies, say Ross Galin and Aaron Shapiro of O'Melveny & Myers LLP.

LEGAL INDUSTRY

Firm Leaders Tepid On Economy But Expect Growth, Citi Finds

Law firm leaders have a tepid outlook on the strength of the U.S. economy and the health of the legal industry for the first half of 2017, according to a Monday report from Citi Private Bank, but remain more cautious about what to expect on a global scale.

Clerks Might Not Get Coffee, But Can Sway Justices: Study

Justices of the U.S. Supreme Court may seem like a group making decisions that can alter the legal and political landscape all on their own, but justices are often influenced in the way they

vote on cases by their clerks, according to a recent study by several legal scholars.

Dewey Judge Seeks DA Input On Cooperator Deal Testimony

The New York state judge overseeing the upcoming retrial of two former Dewey & LeBoeuf LLP executives on Monday gave prosecutors until the end of the week to respond to a defense motion seeking to grill the government's star witness about the circumstances that led him to get a new plea deal in exchange for his ongoing cooperation.

Alleged Law Firm Hackers Hit With SEC Injunction

A New York federal judge on Monday granted a request by the U.S. Securities and Exchange Commission for a preliminary injunction and asset freeze against four Chinese hackers accused of reaping \$4 million in illegal profits using insider information about pending corporate deals hacked from the computer systems of two top New York law firms.

Supreme Court Won't Review Calif., NJ Admission Restrictions

An advocacy group dedicated to breaking down jurisdictional practice barriers for lawyers lost on Monday the final round of challenges to rules in California and New Jersey on out-of-state attorneys.

Howrey Trustee Aims To Collect From 2 More Ex-Partners

Howrey LLP's trustee filed two new cases against former partners of the long-defunct firm over unpaid tax obligations, claiming in a pair of adversary proceedings Monday that the European partners had skipped out on their payments and contractual obligations.

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Alston & Bird
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Baker & McKenzie
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Bass Berry
Bernstein Litowitz
Beveridge & Diamond
Bird & Bird
Boies Schiller
Bowman and Brooke
Center for Constitutional Litigation
Chadbourne & Parke
Cleary Gottlieb
Cohen Milstein
Cooley
Covington & Burling
Cravath Swaine
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Hillyard Bogan
Hogan Lovells
Hunton & Williams
Irell & Manella
Jackson Lewis
Jenner & Block
Jones Day
Kasowitz Benson
Katten Muchin
Keker & Van Nest
Keller and Heckman
Kelley Drye
King & Spalding
Kirkland & Ellis
Kramer Levin
Labaton Sucharow
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Paul Hastings
Paul Weiss
Pillsbury Winthrop
Pirkey Barber
Priddy Cutler
Proskauer Rose
Quinn Emanuel
Reed Smith
Robbins Geller
Rogers & Hardin
Ropes & Gray
Sanford Heisler
Seward & Kissel
Seyfarth Shaw
Shearman & Sterling
Sheppard Mullin
Shook Hardy
Shulman Rogers
Simpson Thacher
Sirote & Permutt
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Sprague & Sprague
Squire Patton Boggs
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IP & TECHNOLOGY

Arent Fox, MWE Attys Among New USPTO Advisory Members

The U.S. Patent and Trademark Office rolled out a slew of new members for its advisory committees on Monday, placing a longtime member from Arent Fox LLP as chair of one group and bringing on fresh faces from McDermott Will & Emery LLP, Mayer Brown LLP and Jones Day.

TRANSPORTATION & INFRASTRUCTURE

Supreme Court Rejects Flight-Sharing Company's Appeal

The U.S. Supreme Court rejected on Monday Flytenow Inc.'s request to consider an appeals court decision that affirmed the Federal Aviation Administration's determination that pilots who post on its flight-sharing website must have commercial licenses.

Rail Unions Sue Christie, NJ Transit Over Engineer DUI Law

A pair of railroad labor unions filed suit Monday in New Jersey federal court to undo a state law that prohibits New Jersey Transit engineers from operating passenger trains if they have a suspended or revoked driver's license due to a

Troutman Sanders
Venable LLP
Vinson & Elkins
Volkov Law Group LLC
Wachtell Lipton
Weil Gotshal
White & Case
Wiley Rein
Williams & Connolly
WilmerHale
Wilson Sonsini

COMPANIES

AARP Inc.
AT&T Inc.
Alcoa Inc.
America Fujikura Ltd.
American Bankers Association
American Federation of Labor and Congress of Industrial Organizations
American International Group Inc.
Association of Tennis Professionals
Braskem SA
CTIA
Center for Biological Diversity Inc.
Consumer Action
Consumer Federation of America
Consumer Reports
Dell Inc.
Dow Chemical Co.
Dynergy Inc.
E. I. du Pont de Nemours and Company (DuPont)
EMC Corporation
Eide Bailly LLP
Electronic Frontier Foundation
Entergy Corporation
Equifax Inc.

DUI conviction, saying it is preempted by federal law.

EMPLOYMENT

Ky. Gov. Signs Fast-Track Right-To-Work Bill

Kentucky became the 27th so-called right-to-work state on Saturday when Gov. Matt Bevin signed a bill making it illegal to require that workers pay union dues as a condition of employment, four days after it was introduced by a new Republican majority in the Kentucky House of Representatives.

OSHA Injury Reporting Rule, Database Ripped By Chamber

The U.S. Chamber of Commerce and other industry groups are looking to prevent the Occupational Safety and Health Administration from implementing its injury and illness recordkeeping reporting rule, saying the proposed online database violates businesses' First Amendment rights and oversteps OSHA's authority.

NY Aims To Ban Wells Fargo-Styled Scammers From Banking

New York Gov. Andrew Cuomo pitched banning from the banking and insurance industries "bad actors" who commit frauds like Wells Fargo & Co.'s opening of thousands of unauthorized accounts to boost its sales numbers, according to a proposal Sunday from the governor's State of the State address.

NLRA Preempts Ill. Town's Right-To-Work Law, Judge Say

An Illinois town can't enforce a union-weakening "right-to-work" ordinance because it's preempted by federal labor law, an Illinois federal judge ruled on Saturday.

Ex-Pa. Justices Drop Judicial Retirement Age Vote Challenge

Exelon Corporation

Facebook

Fannie Mae

Freddie Mac

Friedman LLP

Google Inc.

Home Depot, Inc.

International Brotherhood of Electrical Workers

International Brotherhood of Teamsters

International Union Of Operating Engineers

Kmart Corp.

Liberty Mutual

Lyft Inc.

Microsoft Corporation

NBCUniversal Inc.

NFL Enterprises LLC

NJ Transit Corp.

NRG Energy Inc.

National Association of Home Builders

National Association of Manufacturers

New York Times Co.

Och-Ziff Capital Management Group LLC

Odebrecht SA

Orthofix International N.V.

Public Knowledge

Spokeo Inc.

SunEdison LLC

Talen Energy Corp.

TeliaSonera AB

Teva Pharmaceutical Industries Limited

Timbervest LLC

U.S. Chamber of Commerce

United Brotherhood of Carpenters

The firm representing two former Pennsylvania Supreme Court justices in their fight against what they argued was a misleading ballot referendum to raise the mandatory retirement age for state judges said Friday it would not appeal a recent decision dismissing their challenge.

Unions Cite Ill. Judge's RTW Ruling In Ky. County Appeal

A group of Kentucky unions, including chapters of the AFL-CIO, told the Sixth Circuit on Monday that a recent Illinois federal judge's ruling that struck down a local right-to-work ordinance supports their argument that the appellate court incorrectly upheld a similar ordinance enacted by Hardin County, Kentucky.

PRIVACY & CONSUMER PROTECTION

11th Circ. Won't Revive Privacy Suits Over Fla. Driver Info

The Eleventh Circuit on Monday affirmed the dismissal of a Florida couple's cases against local governments and their workers over allegedly improper access of their personal information through state driver and motor vehicle records, ruling that their claims are time-barred.

5th Circ. Asked To End Block Of Transgender Bathroom Rule

The U.S. government on Friday asked the Fifth Circuit to overturn an injunction blocking an Obama administration rule incorporating gender identity discrimination as part of sex discrimination under Title IX, calling the injunction overbroad and unnecessary.

Sens. To Push For Greater Russia Sanctions After Hacks

Senior senators on the Armed Services Committee plan on introducing bills that would target Russia's financial and energy sectors, in response to the campaign intended on using hacks and other measures to interfere in the

United States Steel Corporation
Verizon Communications
VimpelCom Ltd.
Wal-Mart Stores Inc.
Wells Fargo & Co.
Zimmer Biomet Holdings Inc.

GOVERNMENT AGENCIES

Bureau of Industry and Security
Central Intelligence Agency
Commodity Futures Trading Commission
Commonwealth of Kentucky
Consumer Financial Protection Bureau
Delaware Court of Chancery
Department of Commerce
Equal Employment Opportunity Commission
European Commission
Federal Aviation Administration
Federal Communications Commission
Federal Deposit Insurance Corp.
Federal Energy Regulatory Commission
Federal Railroad Administration
Federal Reserve System
Financial Stability Oversight Council
Florida Department of Highway Safety and Motor Vehicles
Food and Drug Administration
Internal Revenue Service
International Trade Administration
Mine Safety and Health Administration
National Institutes of Health
National Labor Relations Board
Navajo Nation

U.S. presidential election, they said over the weekend.

Reps. Reintroduce Widely Supported Email Privacy Act

A pair of D.C. lawmakers on Monday reintroduced federal legislation aimed at barring the government from accessing stored electronic communications held by service providers without a warrant, a proposal which received wide bipartisan support last year but ultimately stalled in the U.S. Senate.

AEROSPACE & DEFENSE

DHS Says Election System Is 'Critical Infrastructure'

U.S. Department of Homeland Security Secretary Jeh Johnson on Friday announced that he was designating the country's election systems as critical infrastructure, saying that the move will make the systems a priority for DHS protection, in the wake of increasingly sophisticated cyberattacks.

Sikorsky, DOD Get 9th Circ. Reversal Of FOIA Document Bid

The Ninth Circuit on Friday reversed a Freedom of Information Act order requiring Sikorsky to hand over defense contracting documents to the American Small Business League, finding that certain information involving the aircraft manufacturer is protected from disclosure to competitors.

INTERNATIONAL TRADE

Feds Revise Export Controls On Spacecraft

The U.S. departments of State and Commerce on Monday issued final rules adjusting export controls on satellites and other similar spacecraft and related equipment, loosening restrictions on exports of certain remote imaging devices, among other changes.

Nuclear Regulatory Commission
Occupational Safety and Health Administration

Office of the Comptroller of the Currency

Securities and Exchange Commission

U.S. Attorney's Office

U.S. Department of Agriculture

U.S. Department of Defense

U.S. Department of Health and Human Services

U.S. Department of Homeland Security

U.S. Department of Justice

U.S. Department of the Interior

U.S. House of Representatives

U.S. Patent and Trademark Office

U.S. Senate

U.S. Supreme Court

Commerce To Form Trade Enforcement Advisory Council

The U.S. Department of Commerce is set to establish an advisory council on trade enforcement to make recommendations about how to ensure compliance from trade partners and to enhance the country's commercial competitiveness, according to a notice in the Federal Register set to publish on Tuesday.

US Raps China For Shortcomings In IP, Steel, Antitrust Policy

Nearing the end of its tenure, the Obama administration on Monday gave a stern rebuke to China for its failure to obey a litany of World Trade Organization rules, ripping Beijing for its shortcomings in intellectual property rights enforcement, shady competition laws and protectionist steel policies.

TAX

High Court Snubs Michigan Health Plan Tax Dispute

The U.S. Supreme Court declined Monday to take up Self-Insurance Institute of America Inc.'s challenge to a Michigan tax on health insurance plans, despite having told a lower appeals court in March to reconsider its upholding of the tax.

States Look For Quick Win In Obamacare Medicaid Tax Row

Six states moved for a win in their fight against the Affordable Care Act tax levied on state Medicaid managed care organizations, telling a Texas federal judge on Friday that the fee exceeds the federal government's authority and violates the U.S. Constitution.

NATIVE AMERICAN

NY, Entergy Strike Deal To Close Indian Point Nuke Plant

New York state officials and Entergy Corp. said Monday that they've brokered a deal to shut

down the Indian Point nuclear plant just north of New York City by 2021, ending a lengthy fight over a facility opponents say poses environmental and safety risks to the largest metropolitan area in the U.S.

TELECOMMUNICATIONS

Groups Urge FCC Review Of Wireless Roaming Charges

The Federal Communications Commission should examine the impact of international roaming fees from background data on smartphones to ensure wireless customers aren't being taken advantage of, a group of consumer advocates said Friday.

Blackouts Show Need For Retransmission Reform, FCC Told

The American Television Alliance pushed the Federal Communications Commission on Friday to consider again its rules guiding negotiations between pay-TV providers and broadcasters, saying widespread programming blackouts demonstrate that current rules aren't protecting the public.

FCC Warns TV Stations Over Political Transparency Issues

The Federal Communications Commission on Friday reprimanded several TV stations for failing to follow requirements designed to ensure transparency about political advertising in 2014 and 2016, clarifying its rules and declining to pursue enforcement but also warning of possible future action.

EXPERT ANALYSIS

FCPA Predictions For 2017

Everyone is predicting major changes in the U.S. Department of Justice's Foreign Corrupt Practices Act enforcement. I do not share this view. Frankly, FCPA enforcement is more bipartisan than other controversial enforcement programs, and the DOJ's FCPA program is very

profitable, says Michael Volkov, CEO of The Volkov Law Group LLC and a former federal prosecutor.

An Unwelcome Gift From The IRS On Conservation Easements

Just before Christmas, the IRS issued Notice 2017-10, declaring some conservation easement donations to be "listed transactions," and giving a chill to year-end giving plans. The agency's move was arbitrary and ham-fisted, made without opportunity for constructive comment, and endangers this vital conservation funding mechanism, say Ronald Levitt and David Wooldridge of Sirote & Permutt PC.

Easing The Process For Requesting Experimental Drugs

The 21st Century Cures Act passed last month includes a key provision that will require pharmaceutical companies to publicly provide policies for evaluating experimental drugs requests. This law ensures that seriously ill patients in search of their last hope will at least know how to contact pharmaceutical companies, say Ross Galin and Aaron Shapiro of O'Melveny & Myers LLP.

LEGAL INDUSTRY

Firm Leaders Tepid On Economy But Expect Growth, Citi Finds

Law firm leaders have a tepid outlook on the strength of the U.S. economy and the health of the legal industry for the first half of 2017, according to a Monday report from Citi Private Bank, but remain more cautious about what to expect on a global scale.

Clerks Might Not Get Coffee, But Can Sway Justices: Study

Justices of the U.S. Supreme Court may seem like a group making decisions that can alter the legal and political landscape all on their own, but justices are often influenced in the way they

vote on cases by their clerks, according to a recent study by several legal scholars.

Dewey Judge Seeks DA Input On Cooperator Deal Testimony

The New York state judge overseeing the upcoming retrial of two former Dewey & LeBoeuf LLP executives on Monday gave prosecutors until the end of the week to respond to a defense motion seeking to grill the government's star witness about the circumstances that led him to get a new plea deal in exchange for his ongoing cooperation.

Alleged Law Firm Hackers Hit With SEC Injunction

A New York federal judge on Monday granted a request by the U.S. Securities and Exchange Commission for a preliminary injunction and asset freeze against four Chinese hackers accused of reaping \$4 million in illegal profits using insider information about pending corporate deals hacked from the computer systems of two top New York law firms.

Supreme Court Won't Review Calif., NJ Admission Restrictions

An advocacy group dedicated to breaking down jurisdictional practice barriers for lawyers lost on Monday the final round of challenges to rules in California and New Jersey on out-of-state attorneys.

Howrey Trustee Aims To Collect From 2 More Ex-Partners

Howrey LLP's trustee filed two new cases against former partners of the long-defunct firm over unpaid tax obligations, claiming in a pair of adversary proceedings Monday that the European partners had skipped out on their payments and contractual obligations.

JOBS

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Riverkeeper, Inc.
Ossining, New York

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From: Public Policy Law360
Sent: Thursday, January 12, 2017 5:46 AM
To: Rep07
Subject: House Passes Bill Ending Chevron Deference



Thursday, January 12, 2017



TOP NEWS

House Passes Bill Ending Chevron Deference

The U.S. House of Representatives passed a package of bills Wednesday aimed at regulatory agencies, which included ending the doctrine of judicial deference to agency legal interpretations, over Democratic objections the law would grind rulemaking to a halt.

Trump Says Supreme Court Pick Coming Soon

President-elect Donald Trump said during his press conference Wednesday that he plans to put forward his pick for the long-empty ninth seat on the U.S. Supreme Court within two weeks of taking office.

Sessions Hints Yates Memo, Fraud To Stay On DOJ Radar

U.S. attorney general nominee Jeff Sessions suggested Tuesday that his Department of Justice would follow the Yates Memo's mandate to pursue individuals in corporate cases as well as continue a record-breaking False Claims Act enforcement streak under the new administration.

Analysis

LAW FIRMS

Alston & Bird
Andrews Kurth Kenyon
Baker & McKenzie
Balch & Bingham
Bingham McCutchen
Brown Rudnick
Cooper & Kirk
Cooper Levenson
DLA Piper
Debevoise & Plimpton
Deutsch Kerrigan
Dewey & LeBoeuf
Dilworth Paxson
Duane Morris
Faegre Baker
Fish & Richardson
Fisher Phillips
Goodwin
Harris Wiltshire
Hogan Lovells
Holland & Knight
Jackson Lewis
Jones Walker
Katten Muchin
Kenyon & Kenyon

What To Watch For At Mattis' Defense Secretary Hearing

James Mattis, President-elect Donald Trump's pick for secretary of defense, will face Congress on Thursday. Here's a primer on where Mattis has stood on various issues, what he is likely to be asked, and what obstacles may stand in the way of his confirmation.

Analysis

4 Obama Tax Policies At Risk Under The GOP's Tax Plan

The U.S. Treasury Department churned out a number of regulations toward the end of President Barack Obama's term, but some of those policies now face near-certain death under the incoming Trump administration because they are deemed too controversial or will become obsolete under the Republicans' sweeping tax proposals.

Sen. Booker, Rep. John Lewis Blast Sessions AG Nomination

Sen. Cory Booker, along with several African-American congressmen, railed against the nomination of Sen. Jeff Sessions for attorney general Wednesday, claiming he would move the country back toward a "darker period in our nation's history" on several issues, including civil and LGBT rights.

Analysis

Carson= 2s Slim Housing Credentials To Be Confirmation Focus

Dr. Ben Carson will face a barrage of questions Thursday on topics ranging from his views on anti-discrimination enforcement to the basics of running a government agency with a multibillion-dollar budget at his confirmation hearing to lead the U.S. Department of Housing and Urban Development.

Analysis

Right-To-Work Battle Heating Up Early In 2017

With Kentucky becoming the 27th state to join the right-to-work ranks, other states and

King & Spalding

King & Wood Mallesons

Lawyers' Committee for Civil Rights

Levy Ratner

McDermott Will

Morgan Lewis

Novak Druce

Perkins Coie

Pillsbury Winthrop

Polsinelli

Proskauer Rose

Sanford Heisler

Sedgwick LLP

Seyfarth Shaw

Siebman Burg

Simpson Thacher

Skadden

Squire Patton Boggs

Stroock & Stroock

Sutherland Asbill

Vinson & Elkins

Weil Gotshal

Whitfield & Eddy

Wilkinson Barker

COMPANIES

AT&T Inc.

America Fujikura Ltd.

American Bar Association

American Cable Association

American Federation of Labor and Congress of Industrial Organizations.

Apple Inc.

Bank of America Corporation

BuzzFeed Inc.

CTIA

Chevron Corporation

municipalities likely to join soon and the possibility of a U.S. Supreme Court fight over local-level laws on the horizon, attorneys say right-to-work is one area of labor law to watch closely.

Analysis

Top 3 Groups Lobbying The FCC

Lobbying activity on major controversial issues at the Federal Communications Commission has slowed as the changeover to a new administration continues, but experts say these months of transition are also a formative time for the industry to make its case before staff and commissioners.

BigLaw Attys, GCs Oppose Sessions As Attorney General

Lawyers from Weil Gotshal & Manges LLP and Sutherland Asbill & Brennan LLP, a former federal judge and 100-plus other attorneys and general counsel have told lawmakers that Sen. Jeff Sessions should not be confirmed as U.S. attorney general because his record suggests he would neglect civil rights laws.

BANKING & SECURITIES

House Again Passes Angel Investors Bill To Help Startups

The U.S. House of Representatives again passed a bill Tuesday designed to make it easier for angel investors to fund startups, after a version of the bill that passed last year died in the U.S. Senate.

SEC Cost-Benefit Review Bill Advances In House

The U.S. House of Representatives voted Wednesday to consider a bill requiring the U.S. Securities and Exchange Commission to apply cost-benefit analyses before moving forward with regulations, a measure that was applauded by securities industry lobbyists.

ENERGY & ENVIRONMENTAL

CohnReznick LLP
Competitive Carriers Association
Continental Resources, Inc.
Court of Arbitration for Sport
Deutsche Bank AG
Devon Energy Corporation
Dow Chemical Co.
Exxon Mobil Corporation
Federalist Society
Ford Motor Company
Gartner Inc.
General Dynamics Corporation
General Mills Inc.
Google Inc.
HSBC Holdings PLC
Home Depot, Inc.
International Association of Defense Counsel
International Association of Machinists and Aerospace Workers
International Business Machines Corporation
JPMorgan Chase & Co.
Lawyers' Committee for Civil Rights Under Law
Lockheed Martin
Mayo Foundation for Medical Education and Research
Media General Inc.
Murray Energy Corp.
National Association of Broadcasters
National Collegiate Athletic Association
National Hockey League
National Public Radio Inc.
National Telephone Cooperative Association
Nexstar Broadcasting Group, Inc.

Jewell Confident That Many Obama Energy Regs Can Stick

President-elect Donald J. Trump and congressional Republicans have vowed to roll back regulations crafted late in the Obama administration they see as hampering fossil fuel development, but moves like permanent offshore drilling bans in the Arctic Ocean likely have staying power, U.S. Secretary of the Interior Sally Jewell said Wednesday.

BLM Floats Plan To Reform Federal Coal Program

The U.S. Bureau of Land Management on Wednesday released a plan to modernize the federal coal program, saying the current system doesn't align with current priorities such as mitigating climate change.

Enviro Committee To Grill EPA Pick Pruitt Next Wednesday

President-elect Donald Trump's pick to head the U.S. Environmental Protection Agency will get a confirmation hearing with the Senate Environment Committee next Wednesday, with the questioning likely to focus on climate change, regulation and domestic energy policy.

EPA Agrees To Tackle Request To Add NC To Ozone Region

A federal Judge has signed off on a settlement between the U.S. Environmental Protection Agency and the North Carolina Department of Environmental Quality in which the federal agency will act on Northeast states' petition to add North Carolina to a regional ozone-reduction program.

HEALTH & LIFE SCIENCES

Analysis

7 Key Policies In HHS Inspector General's Exclusion Rule

Oregon State Bar
Pharmaceutical Care Management Association
Procter & Gamble Co.
Revel AC Inc.
SIFMA
Southern Poverty Law Center
T-Mobile USA Inc.
The Boeing Company
Trump Organization Inc.
Turner Broadcasting System Inc.
Twitter Inc.
U.S. Renal Care Inc.
United Auto Workers
Verizon Communications
Washington Post Co.
Washington State Bar Association
Wells Fargo & Co.

GOVERNMENT AGENCIES

Army Corps of Engineers
Bureau of Land Management
Centers for Medicare & Medicaid Services
Central Command
Commodity Futures Trading Commission
Congressional Research Service
Department of Commerce
Equal Employment Opportunity Commission
Executive Office of the President
Federal Acquisition Regulatory Council
Federal Aviation Administration
Federal Communications Commission
Federal Housing Administration
Government Accountability Office
Internal Revenue Service

The Office of Inspector General at the U.S. Department of Health and Human Services on Wednesday finalized an array of new policies for kicking individuals and companies out of Medicare and Medicaid for fraudulent billing. Here are seven key policies in the final rule.

Trump Chooses VA Health Undersecretary To Lead Agency

President-elect Donald Trump announced Wednesday that he has chosen U.S. Department of Veterans Affairs undersecretary and former hospital CEO David Shulkin to lead the agency, saying Shulkin will help "straighten out" the VA.

OSHA To Issue Safety Rules For Health Care Workers

The Occupational Health and Safety Administration will issue rules intended to reduce workplace violence against health care workers, according to a letter sent by the head of the agency to Democratic lawmakers.

MEDIA & ENTERTAINMENT

NJ Casino Regulator Postpones Developer's License Row

The plan to reopen the former Revel Atlantic City casino hit a roadblock Wednesday when the New Jersey Casino Control Commission postponed its decision on developer Glenn Straub's petition for a casino license waiver in order to review the admissibility of related documents.

NY, SC Lawmakers Lob Measures To Legalize Sports Betting

Lawmakers this week in New York and South Carolina have proposed amending their state constitutions to allow sports gambling.

TRANSPORTATION & INFRASTRUCTURE

International Chamber of Commerce

NAFTA

NATO

National Aeronautics and Space Administration

National Institute of Standards and Technology

National Labor Relations Board

New Jersey Attorney General's Office

New Jersey Casino Control Commission

New York Attorney General's Office

North Carolina Department of Environmental Quality

Occupational Safety and Health Administration

Port Authority of New York & New Jersey

Securities and Exchange Commission

U.S. Army

U.S. Attorney's Office

U.S. Commission on Civil Rights

U.S. Department of Defense

U.S. Department of Health and Human Services

U.S. Department of Homeland Security

U.S. Department of Housing and Urban Development

U.S. Department of Justice

U.S. Department of Labor

U.S. Department of State

U.S. Department of Transportation

U.S. Department of Veterans Affairs

U.S. Department of the Interior

U.S. Department of the Treasury

Senators Press Trump DOT Pick For Infrastructure Pledges

Elaine Chao, President-elect Donald Trump's pick for secretary of transportation, received bipartisan support during a three-hour nomination hearing Wednesday, but also faced pressure from lawmakers vying to make the varied concerns of their home states a priority in the incoming Trump administration.

Christie, Prosecutors Slam GW Bridge Probable Cause Ruling

Counsel for New Jersey Gov. Chris Christie and prosecutors Wednesday urged a state judge to reverse another judge's probable cause finding in an activist's criminal complaint accusing the governor of official misconduct over politically motivated lane closures at the George Washington Bridge.

INSURANCE

Feds Urge Against Rule Injunction In Dialysis Program Suit

The U.S. Department of Justice told a federal judge in Texas on Wednesday not to grant a request from dialysis companies to stop a Health and Human Services rule change affecting patient insurance coverage, because it is a "limited and modest but urgently needed" step to protect patients.

EMPLOYMENT

ERISA Blocks Iowa Pharmacy Benefits Law, 8th Circ. Says

The Eighth Circuit ruled Wednesday that an Iowa law regulating certain actions taken by prescription drug benefit managers is preempted by the Employee Retirement Income Security Act, saying it would improperly create different administrative processes for ERISA plans in the state than exist nationally.

Job Seekers' Past Salaries Now Off Limits To NY Agencies

U.S. Environmental Protection Agency
U.S. General Services Administration
U.S. House of Representatives
U.S. Marine Corps
U.S. Navy
U.S. Office of Government Ethics
U.S. Senate
U.S. Supreme Court
United Nations
World Intellectual Property Organization

New York Gov. Andrew Cuomo has signed two executive orders, one prohibiting state agencies from evaluating candidates based on their prior salary or asking about their wage history, and the other requiring state contractors to disclose job title and salary data.

PRIVACY & CONSUMER PROTECTION

NIST's Popular Cybersecurity Framework Gets Facelift

The National Institute of Standards and Technology on Tuesday floated an update to its widely adopted voluntary cybersecurity framework that would establish a common vocabulary for discussing cyber supply chain risks and set up a way to measure the progress businesses have made in identifying and managing cyberthreats.

Bathroom Rule Ban Is Toothless In Okla., LGBT Group Says

An Oklahoma LGBT advocacy group told the Fifth Circuit on Tuesday that the state should be exempted from an injunction blocking an Obama administration guidance that students be allowed to use restrooms that match their gender identity, saying the directive conflicted with no Oklahoma law.

GOVERNMENT CONTRACTS

Pentagon Testing Chief Flags More Delays For F-35

Continued issues with the F-35 program could add more than \$1 billion to its testing costs and mean the fighter jet may not complete full operational testing until 2020, the Pentagon's top weapons system tester said in a report released Tuesday.

Rep. Chaffetz Hopes To Bar Tax-Delinquent Gov't Workers

A bill that would eliminate eligibility for federal civilian employment, contracts or grants for individuals with significant delinquent tax debt

has passed the House Oversight and Government Reform Committee, Republican Congressman Jason Chaffetz of Utah announced Tuesday.

Trump Slams Russia Docs Report, F-35 Cost Overruns

President-elect Donald Trump on Wednesday slammed reports that Russia holds compromising information on him as "fake news," while continuing to criticize the Pentagon's largest acquisition program, the F-35 fighter jet, for cost and schedule overruns.

Group Seeks To Preserve Aerospace Tax Breaks In Wash.

A group that seeks to preserve tax incentives for Washington state's aerospace industry and includes Boeing as a member announced its launch on Tuesday, amid Boeing's opposition to efforts to restrict \$8.7 billion in tax breaks.

INTERNATIONAL TRADE

Missing Ethics Paperwork Delays Ross Confirmation Hearing

The leaders of the Senate Commerce Committee said Tuesday that the hearing to consider the nomination of Wilbur Ross as the next commerce secretary will be delayed to next week because the panel has not yet received crucial ethics documents from the billionaire investor.

DOL Says Colombia Out Of Step With Trade Obligations

The U.S. Department of Labor reported Wednesday that Colombia is falling short of its commitments under a bilateral trade agreement by failing to protect workers' rights and vigorously enforce its labor laws.

Tillerson Tries To Draw Hard Line On Russia

Rex Tillerson, Donald Trump's nominee for secretary of state, took a hard stance against

Russian aggression in his opening statement seeking Senate confirmation Wednesday but later refused to directly call Russian President Vladimir Putin a war criminal or to stand by sanctions imposed over Russia's alleged election interference.

TAX

Morgan Lewis Atty Steps Into Spotlight With Trump Plan

Morgan Lewis & Bockius LLP tax partner Sheri Dillon made a running leap Wednesday into the mainstream consciousness when she spoke to the American public at Donald Trump's latest press conference, addressing the president-elect's potential conflicts of interest.

DC Circ. Urged To Revive Offshore Income Program Suit

Three taxpayers have pressed the D.C. Circuit to revive their suit seeking to upend the Internal Revenue Services' offshore income disclosure programs, arguing that the changes they are seeking will not block the agency from collecting taxes.

INTERNATIONAL ARBITRATION

Switzerland Floats Amendments To Int'l Arbitration Law

Switzerland on Wednesday released a series of proposed amendments to its law governing international arbitration, which are aimed at enhancing the law's flexibility and maintaining the country's reputation as an attractive venue for dispute resolution.

Singapore Passes Bills To Boost Global Arbitration Role

The Parliament of Singapore passed two bills on Tuesday in an attempt to solidify the city-state's status as a center for dispute resolution, creating a framework for enforcing mediated settlements and for the first time allowing third-

party funding in international commercial arbitration.

IMMIGRATION

New Requirements Pitched For Exchange Visitor Program

The U.S. Department of State said Wednesday it is considering adding a series of restrictions to the Exchange Visitor Program, including limits on the number of hours that participants could work at night and the number of repeat visits they could make.

TELECOMMUNICATIONS

FCC Extends Timeline For Reconsidering Ownership Rules

The Federal Communications Commission agreed Wednesday to push back the deadlines for oppositions and replies to oppositions on requests that it reconsider its decision keeping media ownership restrictions, moving deadlines further into the Trump administration.

FCC Sparks GOP Outcry With 'Midnight' Report On Free Data

A Federal Communications Commission bureau report released Wednesday finding that Verizon and AT&T zero-rating plans pose "significant risks to consumers and competition" is "midnight regulation" driven by a partisan and political agenda, Republican FCC Commissioner Ajit Pai said in a statement.

FCC Floats Progress Reporting For Post-Auction TV Transition

The Federal Communications Commission on Tuesday released details of quarterly reporting requirements for broadcast television stations' repackaging effort following an auction process to reassign broadcast spectrum for broadband wireless use, including updates on building equipment, tower work and regulatory approval for construction to comply with the transition.

EXPERT ANALYSIS

What Will DOL's Immigration Policy Look Like Under Puzder?

It is still unclear how much legal immigration policy will change in the new Trump administration. However, both President-elect Donald Trump and his nominee for secretary of the U.S. Department of Labor, Andrew Puzder, have worked in industries that rely heavily on foreign nationals and it is entirely possible that legal immigration will stay within historic norms, says Becki Young, co-founder of Hammond Young Immigration Law LLC.

How NDAA For 2017 Changes DOD Contracting

In addition to creating new rules in four areas of interest to federal contractors, the National Defense Authorization Act for Fiscal Year 2017 foreshadows potential future reforms, say attorneys with Vinson & Elkins LLP.

Understanding How Blockchain Could Impact Legal Industry

Blockchain is essentially a computerized public ledger that can apply to almost anything that a person might save into a database or spreadsheet. This versatile technology may enhance the legal industry by providing an improved record keeping system, setting up "smart contracts" and tracking intellectual property and land records, say R. Douglas Vaughn and Anna Outzen of Deutsch Kerrigan LLP.

LEGAL INDUSTRY

SEC, NY DA Fight Dewey Trustee's Bid To Destroy Records

The U.S. Securities and Exchange Commission and the New York District Attorney's Office asked a bankruptcy judge in separate filings on Wednesday to block the liquidating trustee in the Dewey & LeBoeuf LLP bankruptcy from disposing of documents needed in civil and

criminal lawsuits against officers and employees of the defunct law firm.

DLA Piper, Goodwin Big Talent Winners As KWM Struggles

Goodwin Procter LLP on Wednesday announced that it has taken on six partners, along with 20 associates and trainees, from King & Wood Mallesons' European unit, the latest in a long string of departures that have picked up steam in recent weeks as the struggling global law firm bleeds talent.

Mind Your Metadata: Ethics Rules On Hidden Data

Slowly but surely, state ethics committees are addressing the rules and responsibilities around an often overlooked risk to client confidentiality — document metadata. Here, Law360 answers four common questions lawyers have about the ethical landscape for handling the sensitive client data.

Sedgwick Partner Taps Sanford Heisler In \$200M Bias Row

Sanford Heisler LLP has been hired as new lead counsel in a Sedgwick LLP partner's proposed gender discrimination class action against her firm, charging out of the gate Wednesday by filing an amended complaint in arbitration that adds fresh allegations and a \$200 million request for damages.

JOBS

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Riverkeeper, Inc.

Ossining, New York

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From: Public Policy Law360
Sent: Thursday, January 12, 2017 5:46 AM
To: Rep07
Subject: House Passes Bill Ending Chevron Deference



Thursday, January 12, 2017



TOP NEWS

House Passes Bill Ending Chevron Deference

The U.S. House of Representatives passed a package of bills Wednesday aimed at regulatory agencies, which included ending the doctrine of judicial deference to agency legal interpretations, over Democratic objections the law would grind rulemaking to a halt.

Trump Says Supreme Court Pick Coming Soon

President-elect Donald Trump said during his press conference Wednesday that he plans to put forward his pick for the long-empty ninth seat on the U.S. Supreme Court within two weeks of taking office.

Sessions Hints Yates Memo, Fraud To Stay On DOJ Radar

U.S. attorney general nominee Jeff Sessions suggested Tuesday that his Department of Justice would follow the Yates Memo's mandate to pursue individuals in corporate cases as well as continue a record-breaking False Claims Act enforcement streak under the new administration.

Analysis

LAW FIRMS

Alston & Bird
Andrews Kurth Kenyon
Baker & McKenzie
Balch & Bingham
Bingham McCutchen
Brown Rudnick
Cooper & Kirk
Cooper Levenson
DLA Piper
Debevoise & Plimpton
Deutsch Kerrigan
Dewey & LeBoeuf
Dilworth Paxson
Duane Morris
Faegre Baker
Fish & Richardson
Fisher Phillips
Goodwin
Harris Wiltshire
Hogan Lovells
Holland & Knight
Jackson Lewis
Jones Walker
Katten Muchin
Kenyon & Kenyon

What To Watch For At Mattis' Defense Secretary Hearing

James Mattis, President-elect Donald Trump's pick for secretary of defense, will face Congress on Thursday. Here's a primer on where Mattis has stood on various issues, what he is likely to be asked, and what obstacles may stand in the way of his confirmation.

Analysis

4 Obama Tax Policies At Risk Under The GOP's Tax Plan

The U.S. Treasury Department churned out a number of regulations toward the end of President Barack Obama's term, but some of those policies now face near-certain death under the incoming Trump administration because they are deemed too controversial or will become obsolete under the Republicans' sweeping tax proposals.

Sen. Booker, Rep. John Lewis Blast Sessions AG Nomination

Sen. Cory Booker, along with several African-American congressmen, railed against the nomination of Sen. Jeff Sessions for attorney general Wednesday, claiming he would move the country back toward a "darker period in our nation's history" on several issues, including civil and LGBT rights.

Analysis

Carson= 2s Slim Housing Credentials To Be Confirmation Focus

Dr. Ben Carson will face a barrage of questions Thursday on topics ranging from his views on anti-discrimination enforcement to the basics of running a government agency with a multibillion-dollar budget at his confirmation hearing to lead the U.S. Department of Housing and Urban Development.

Analysis

Right-To-Work Battle Heating Up Early In 2017

With Kentucky becoming the 27th state to join the right-to-work ranks, other states and

King & Spalding

King & Wood Mallesons

Lawyers' Committee for Civil Rights

Levy Ratner

McDermott Will

Morgan Lewis

Novak Druce

Perkins Coie

Pillsbury Winthrop

Polsinelli

Proskauer Rose

Sanford Heisler

Sedgwick LLP

Seyfarth Shaw

Siebman Burg

Simpson Thacher

Skadden

Squire Patton Boggs

Stroock & Stroock

Sutherland Asbill

Vinson & Elkins

Weil Gotshal

Whitfield & Eddy

Wilkinson Barker

COMPANIES

AT&T Inc.

America Fujikura Ltd.

American Bar Association

American Cable Association

American Federation of Labor and Congress of Industrial Organizations

Apple Inc.

Bank of America Corporation

BuzzFeed Inc.

CTIA

Chevron Corporation

municipalities likely to join soon and the possibility of a U.S. Supreme Court fight over local-level laws on the horizon, attorneys say right-to-work is one area of labor law to watch closely.

Analysis

Top 3 Groups Lobbying The FCC

Lobbying activity on major controversial issues at the Federal Communications Commission has slowed as the changeover to a new administration continues, but experts say these months of transition are also a formative time for the industry to make its case before staff and commissioners.

BigLaw Attys, GCs Oppose Sessions As Attorney General

Lawyers from Weil Gotshal & Manges LLP and Sutherland Asbill & Brennan LLP, a former federal judge and 100-plus other attorneys and general counsel have told lawmakers that Sen. Jeff Sessions should not be confirmed as U.S. attorney general because his record suggests he would neglect civil rights laws.

BANKING & SECURITIES

House Again Passes Angel Investors Bill To Help Startups

The U.S. House of Representatives again passed a bill Tuesday designed to make it easier for angel investors to fund startups, after a version of the bill that passed last year died in the U.S. Senate.

SEC Cost-Benefit Review Bill Advances In House

The U.S. House of Representatives voted Wednesday to consider a bill requiring the U.S. Securities and Exchange Commission to apply cost-benefit analyses before moving forward with regulations, a measure that was applauded by securities industry lobbyists.

ENERGY & ENVIRONMENTAL

CohnReznick LLP
Competitive Carriers Association
Continental Resources, Inc.
Court of Arbitration for Sport
Deutsche Bank AG
Devon Energy Corporation
Dow Chemical Co.
Exxon Mobil Corporation
Federalist Society
Ford Motor Company
Gartner Inc.
General Dynamics Corporation
General Mills Inc.
Google Inc.
HSBC Holdings PLC
Home Depot, Inc.
International Association of Defense Counsel
International Association of Machinists and Aerospace Workers
International Business Machines Corporation
JPMorgan Chase & Co.
Lawyers' Committee for Civil Rights Under Law
Lockheed Martin
Mayo Foundation for Medical Education and Research
Media General Inc.
Murray Energy Corp.
National Association of Broadcasters
National Collegiate Athletic Association
National Hockey League
National Public Radio Inc.
National Telephone Cooperative Association
Nexstar Broadcasting Group, Inc.

Jewell Confident That Many Obama Energy Regs Can Stick

President-elect Donald J. Trump and congressional Republicans have vowed to roll back regulations crafted late in the Obama administration they see as hampering fossil fuel development, but moves like permanent offshore drilling bans in the Arctic Ocean likely have staying power, U.S. Secretary of the Interior Sally Jewell said Wednesday.

BLM Floats Plan To Reform Federal Coal Program

The U.S. Bureau of Land Management on Wednesday released a plan to modernize the federal coal program, saying the current system doesn't align with current priorities such as mitigating climate change.

Enviro Committee To Grill EPA Pick Pruitt Next Wednesday

President-elect Donald Trump's pick to head the U.S. Environmental Protection Agency will get a confirmation hearing with the Senate Environment Committee next Wednesday, with the questioning likely to focus on climate change, regulation and domestic energy policy.

EPA Agrees To Tackle Request To Add NC To Ozone Region

A federal Judge has signed off on a settlement between the U.S. Environmental Protection Agency and the North Carolina Department of Environmental Quality in which the federal agency will act on Northeast states' petition to add North Carolina to a regional ozone-reduction program.

HEALTH & LIFE SCIENCES

Analysis

7 Key Policies In HHS Inspector General's Exclusion Rule

Oregon State Bar
Pharmaceutical Care Management Association
Procter & Gamble Co.
Revel AC Inc.
SIFMA
Southern Poverty Law Center
T-Mobile USA Inc.
The Boeing Company
Trump Organization Inc.
Turner Broadcasting System Inc.
Twitter Inc.
U.S. Renal Care Inc.
United Auto Workers
Verizon Communications
Washington Post Co.
Washington State Bar Association
Wells Fargo & Co.

GOVERNMENT AGENCIES

Army Corps of Engineers
Bureau of Land Management
Centers for Medicare & Medicaid Services
Central Command
Commodity Futures Trading Commission
Congressional Research Service
Department of Commerce
Equal Employment Opportunity Commission
Executive Office of the President
Federal Acquisition Regulatory Council
Federal Aviation Administration
Federal Communications Commission
Federal Housing Administration
Government Accountability Office
Internal Revenue Service

The Office of Inspector General at the U.S. Department of Health and Human Services on Wednesday finalized an array of new policies for kicking individuals and companies out of Medicare and Medicaid for fraudulent billing. Here are seven key policies in the final rule.

Trump Chooses VA Health Undersecretary To Lead Agency

President-elect Donald Trump announced Wednesday that he has chosen U.S. Department of Veterans Affairs undersecretary and former hospital CEO David Shulkin to lead the agency, saying Shulkin will help "straighten out" the VA.

OSHA To Issue Safety Rules For Health Care Workers

The Occupational Health and Safety Administration will issue rules intended to reduce workplace violence against health care workers, according to a letter sent by the head of the agency to Democratic lawmakers.

MEDIA & ENTERTAINMENT

NJ Casino Regulator Postpones Developer's License Row

The plan to reopen the former Revel Atlantic City casino hit a roadblock Wednesday when the New Jersey Casino Control Commission postponed its decision on developer Glenn Straub's petition for a casino license waiver in order to review the admissibility of related documents.

NY, SC Lawmakers Lob Measures To Legalize Sports Betting

Lawmakers this week in New York and South Carolina have proposed amending their state constitutions to allow sports gambling.

TRANSPORTATION & INFRASTRUCTURE

International Chamber of Commerce

NAFTA

NATO

National Aeronautics and Space Administration

National Institute of Standards and Technology

National Labor Relations Board

New Jersey Attorney General's Office

New Jersey Casino Control Commission

New York Attorney General's Office

North Carolina Department of Environmental Quality

Occupational Safety and Health Administration

Port Authority of New York & New Jersey

Securities and Exchange Commission

U.S. Army

U.S. Attorney's Office

U.S. Commission on Civil Rights

U.S. Department of Defense

U.S. Department of Health and Human Services

U.S. Department of Homeland Security

U.S. Department of Housing and Urban Development

U.S. Department of Justice

U.S. Department of Labor

U.S. Department of State

U.S. Department of Transportation

U.S. Department of Veterans Affairs

U.S. Department of the Interior

U.S. Department of the Treasury

Senators Press Trump DOT Pick For Infrastructure Pledges

Elaine Chao, President-elect Donald Trump's pick for secretary of transportation, received bipartisan support during a three-hour nomination hearing Wednesday, but also faced pressure from lawmakers vying to make the varied concerns of their home states a priority in the incoming Trump administration.

Christie, Prosecutors Slam GW Bridge Probable Cause Ruling

Counsel for New Jersey Gov. Chris Christie and prosecutors Wednesday urged a state judge to reverse another judge's probable cause finding in an activist's criminal complaint accusing the governor of official misconduct over politically motivated lane closures at the George Washington Bridge.

INSURANCE

Feds Urge Against Rule Injunction In Dialysis Program Suit

The U.S. Department of Justice told a federal judge in Texas on Wednesday not to grant a request from dialysis companies to stop a Health and Human Services rule change affecting patient insurance coverage, because it is a "limited and modest but urgently needed" step to protect patients.

EMPLOYMENT

ERISA Blocks Iowa Pharmacy Benefits Law, 8th Circ. Says

The Eighth Circuit ruled Wednesday that an Iowa law regulating certain actions taken by prescription drug benefit managers is preempted by the Employee Retirement Income Security Act, saying it would improperly create different administrative processes for ERISA plans in the state than exist nationally.

Job Seekers' Past Salaries Now Off Limits To NY Agencies

U.S. Environmental Protection Agency
U.S. General Services Administration
U.S. House of Representatives
U.S. Marine Corps
U.S. Navy
U.S. Office of Government Ethics
U.S. Senate
U.S. Supreme Court
United Nations
World Intellectual Property Organization

New York Gov. Andrew Cuomo has signed two executive orders, one prohibiting state agencies from evaluating candidates based on their prior salary or asking about their wage history, and the other requiring state contractors to disclose job title and salary data.

PRIVACY & CONSUMER PROTECTION

NIST's Popular Cybersecurity Framework Gets Facelift

The National Institute of Standards and Technology on Tuesday floated an update to its widely adopted voluntary cybersecurity framework that would establish a common vocabulary for discussing cyber supply chain risks and set up a way to measure the progress businesses have made in identifying and managing cyberthreats.

Bathroom Rule Ban Is Toothless In Okla., LGBT Group Says

An Oklahoma LGBT advocacy group told the Fifth Circuit on Tuesday that the state should be exempted from an injunction blocking an Obama administration guidance that students be allowed to use restrooms that match their gender identity, saying the directive conflicted with no Oklahoma law.

GOVERNMENT CONTRACTS

Pentagon Testing Chief Flags More Delays For F-35

Continued issues with the F-35 program could add more than \$1 billion to its testing costs and mean the fighter jet may not complete full operational testing until 2020, the Pentagon's top weapons system tester said in a report released Tuesday.

Rep. Chaffetz Hopes To Bar Tax-Delinquent Gov't Workers

A bill that would eliminate eligibility for federal civilian employment, contracts or grants for individuals with significant delinquent tax debt

has passed the House Oversight and Government Reform Committee, Republican Congressman Jason Chaffetz of Utah announced Tuesday.

Trump Slams Russia Docs Report, F-35 Cost Overruns

President-elect Donald Trump on Wednesday slammed reports that Russia holds compromising information on him as "fake news," while continuing to criticize the Pentagon's largest acquisition program, the F-35 fighter jet, for cost and schedule overruns.

Group Seeks To Preserve Aerospace Tax Breaks In Wash.

A group that seeks to preserve tax incentives for Washington state's aerospace industry and includes Boeing as a member announced its launch on Tuesday, amid Boeing's opposition to efforts to restrict \$8.7 billion in tax breaks.

INTERNATIONAL TRADE

Missing Ethics Paperwork Delays Ross Confirmation Hearing

The leaders of the Senate Commerce Committee said Tuesday that the hearing to consider the nomination of Wilbur Ross as the next commerce secretary will be delayed to next week because the panel has not yet received crucial ethics documents from the billionaire investor.

DOL Says Colombia Out Of Step With Trade Obligations

The U.S. Department of Labor reported Wednesday that Colombia is falling short of its commitments under a bilateral trade agreement by failing to protect workers' rights and vigorously enforce its labor laws.

Tillerson Tries To Draw Hard Line On Russia

Rex Tillerson, Donald Trump's nominee for secretary of state, took a hard stance against

Russian aggression in his opening statement seeking Senate confirmation Wednesday but later refused to directly call Russian President Vladimir Putin a war criminal or to stand by sanctions imposed over Russia's alleged election interference.

TAX

Morgan Lewis Atty Steps Into Spotlight With Trump Plan

Morgan Lewis & Bockius LLP tax partner Sheri Dillon made a running leap Wednesday into the mainstream consciousness when she spoke to the American public at Donald Trump's latest press conference, addressing the president-elect's potential conflicts of interest.

DC Circ. Urged To Revive Offshore Income Program Suit

Three taxpayers have pressed the D.C. Circuit to revive their suit seeking to upend the Internal Revenue Services' offshore income disclosure programs, arguing that the changes they are seeking will not block the agency from collecting taxes.

INTERNATIONAL ARBITRATION

Switzerland Floats Amendments To Int'l Arbitration Law

Switzerland on Wednesday released a series of proposed amendments to its law governing international arbitration, which are aimed at enhancing the law's flexibility and maintaining the country's reputation as an attractive venue for dispute resolution.

Singapore Passes Bills To Boost Global Arbitration Role

The Parliament of Singapore passed two bills on Tuesday in an attempt to solidify the city-state's status as a center for dispute resolution, creating a framework for enforcing mediated settlements and for the first time allowing third-

party funding in international commercial arbitration.

IMMIGRATION

New Requirements Pitched For Exchange Visitor Program

The U.S. Department of State said Wednesday it is considering adding a series of restrictions to the Exchange Visitor Program, including limits on the number of hours that participants could work at night and the number of repeat visits they could make.

TELECOMMUNICATIONS

FCC Extends Timeline For Reconsidering Ownership Rules

The Federal Communications Commission agreed Wednesday to push back the deadlines for oppositions and replies to oppositions on requests that it reconsider its decision keeping media ownership restrictions, moving deadlines further into the Trump administration.

FCC Sparks GOP Outcry With 'Midnight' Report On Free Data

A Federal Communications Commission bureau report released Wednesday finding that Verizon and AT&T zero-rating plans pose "significant risks to consumers and competition" is "midnight regulation" driven by a partisan and political agenda, Republican FCC Commissioner Ajit Pai said in a statement.

FCC Floats Progress Reporting For Post-Auction TV Transition

The Federal Communications Commission on Tuesday released details of quarterly reporting requirements for broadcast television stations' repackaging effort following an auction process to reassign broadcast spectrum for broadband wireless use, including updates on building equipment, tower work and regulatory approval for construction to comply with the transition.

EXPERT ANALYSIS

What Will DOL's Immigration Policy Look Like Under Puzder?

It is still unclear how much legal immigration policy will change in the new Trump administration. However, both President-elect Donald Trump and his nominee for secretary of the U.S. Department of Labor, Andrew Puzder, have worked in industries that rely heavily on foreign nationals and it is entirely possible that legal immigration will stay within historic norms, says Becki Young, co-founder of Hammond Young Immigration Law LLC.

How NDAA For 2017 Changes DOD Contracting

In addition to creating new rules in four areas of interest to federal contractors, the National Defense Authorization Act for Fiscal Year 2017 foreshadows potential future reforms, say attorneys with Vinson & Elkins LLP.

Understanding How Blockchain Could Impact Legal Industry

Blockchain is essentially a computerized public ledger that can apply to almost anything that a person might save into a database or spreadsheet. This versatile technology may enhance the legal industry by providing an improved record keeping system, setting up "smart contracts" and tracking intellectual property and land records, say R. Douglas Vaughn and Anna Outzen of Deutsch Kerrigan LLP.

LEGAL INDUSTRY

SEC, NY DA Fight Dewey Trustee's Bid To Destroy Records

The U.S. Securities and Exchange Commission and the New York District Attorney's Office asked a bankruptcy judge in separate filings on Wednesday to block the liquidating trustee in the Dewey & LeBoeuf LLP bankruptcy from disposing of documents needed in civil and

criminal lawsuits against officers and employees of the defunct law firm.

DLA Piper, Goodwin Big Talent Winners As KWM Struggles

Goodwin Procter LLP on Wednesday announced that it has taken on six partners, along with 20 associates and trainees, from King & Wood Mallesons' European unit, the latest in a long string of departures that have picked up steam in recent weeks as the struggling global law firm bleeds talent.

Mind Your Metadata: Ethics Rules On Hidden Data

Slowly but surely, state ethics committees are addressing the rules and responsibilities around an often overlooked risk to client confidentiality — document metadata. Here, Law360 answers four common questions lawyers have about the ethical landscape for handling the sensitive client data.

Sedgwick Partner Taps Sanford Heisler In \$200M Bias Row

Sanford Heisler LLP has been hired as new lead counsel in a Sedgwick LLP partner's proposed gender discrimination class action against her firm, charging out of the gate Wednesday by filing an amended complaint in arbitration that adds fresh allegations and a \$200 million request for damages.

JOBS

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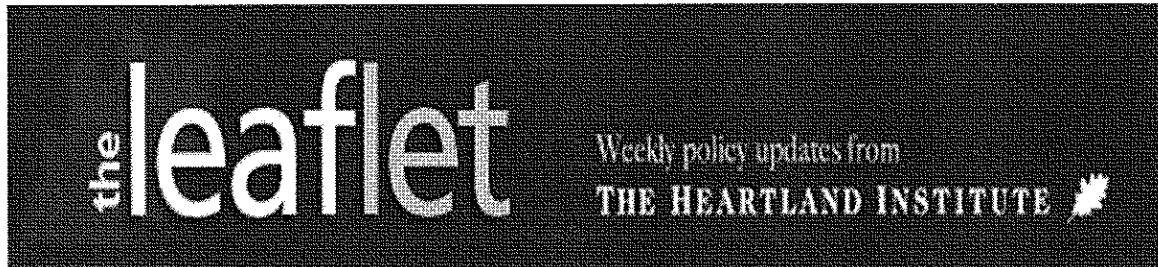
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From: Heartland Institute: The Government Relations Team

Sent: Friday, January 13, 2017 12:06 PM

To: Rep07

Subject: The Leaflet - Kentucky Hits the Ground Running, Becomes 27th Right-to-Work State



Kentucky Hits the Ground Running, Becomes 27th Right-to-Work State

On January 7, Kentucky became the nation's 27th state to pass right-to-work legislation. Implemented in 1947, the Taft-Hartley Act (THA) allows states to adopt right-to-work laws. Right-to-work gives employees the freedom to choose whether to join a labor union and pay union dues.

According to the National Right to Work Legal Defense Foundation, "A Right to Work law secures the right of employees to decide for themselves whether or not to join or financially support a union. However, employees who work in the railway or airline industries are not protected by a Right to Work law, and employees who work on a federal enclave may not be. Moreover, a Right to Work law does not prohibit limitations on when a dues deduction authorization card can be revoked." 0

Kentucky has one of the highest union membership rates in the South, and many analysts believe that is because it is one of only a few states in the region without a right-to-work law.

Bill McMorris, a staff writer for the *Washington Free Beacon*, wrote in a recent article, "About 200,000 Kentucky workers were dues-paying union members in 2015, according to the Bureau of Labor Statistics. Union membership has grown in recent years, with a membership rate of 11 percent of the workforce—a 28 percent increase from 2009."

According the Bluegrass Institute, in the first week of the 2017 legislative session, the Kentucky Legislature passed and Gov. Matt Bevin (R) signed laws addressing the following issues:

- Kentucky became a right-to-work state. No longer are Kentuckians forced to join a union as a condition of employment.
- Kentucky made legislators' pensions transparent.

- Kentucky repealed the arbitrary and artificial “prevailing-wage” requirements on public projects, saving taxpayers millions of dollars on new schools and government buildings.
- Kentucky prohibited union dues from being used to fund politics.
- And Kentucky determined that union membership should come with an “opt-in” requirement, not just a *de facto* “yes” that one must later opt out of.

F. Vincent Vernuccio, the Mackinac Center’s director of labor policy, pointed out in a recent *Wall Street Journal* article voters in right-to-work states have rewarded lawmakers who supported the change, writing, “[T]he union’s bark is a lot worse than its bite when it comes to the election afterward.”

Vernuccio also suggested Kentucky could be the first of several states to pass right-to-work legislation in 2017. “We may see up to 29 [states] before the spring. You’re definitely seeing a snowball effect, and more and more states are looking to give workers freedom.”

States that do not have right-to-work policies should consider implementing them. As the experience of other states shows, right-to-work legislation has a positive effect on states’ economies, workers, and population growth.

WHAT WE'RE WORKING ON

Budget & Tax

Roadmap for the 21st Century: Welfare Reform

This paper, authored by the Roadmap for the 21st Century Working Group on Poverty and Welfare Reform, describes the “perverse incentives stemming from our outdated, fossilized welfare system” and shows how those incentives can be reversed. The paper summarizes the reform proposals offered by House Speaker Paul Ryan (R-WI) and U.S. Sen. Marco Rubio (R-FL), and it reveals a new plan that would make the Ryan and Rubio proposals even more effective. The plan described by the Working Group authors would maintain the necessary social safety net while also making it more effective and less economically burdensome on taxpayers. [Read more](#)



Education

Research & Commentary: Cuomo’s ‘Free’ Tuition Plan Won’t Help Poor Students or Reduce College Costs

In this *Research & Commentary*, Policy Analyst Tim Benson examines New York Gov. Andrew Cuomo’s (D) plan to provide “free” tuition at all Empire State public colleges and universities for students whose families are earning up to \$125,000 per year. Because lower-income students already qualify for enough aid to pay for tuition at New York state universities, most of the students who will be helped by this bill will be from middle- and upper-middle-income households,

which means New York's lower- and middle-income families will be paying taxes to subsidize the higher education of children belonging to their affluent and upper-middle-income neighbors. Instead of instituting what would amount to a welfare program for upper-middle-income households, Benson argues, New York would be better off directing this money to school choice programs for low-income K-12 students stuck in poorly performing neighborhood public schools, such as tax credit scholarship programs and education savings account plans. [Read more](#)

Energy & Environment

Purdue Researchers Find GMO Ban Would Result in Higher Food Prices and Greenhouse-Gas Emissions

In this story published in *Environment & Climate News*, Managing Editor H. Sterling Burnett writes about a new study in the *Journal of Environmental Protection*. Authored by researchers at Purdue University, the study claims a global ban on genetically modified organisms (GMOs) would result in higher carbon-dioxide emissions and cost billions of dollars in lost welfare. Absent the use of GMO crops, the study finds food prices would be between 0.27 percent and 2.2 percent higher, depending on the region. The study also argues if countries that currently plant GMO crops increase the amount of GMOs they plant to levels comparable to that of the United States, greenhouse-gas emissions would fall by approximately 0.2 billion tons of carbon dioxide globally and up to two million acres of land would revert to forests, grasslands, and wetlands. [Read more](#)

Health Care

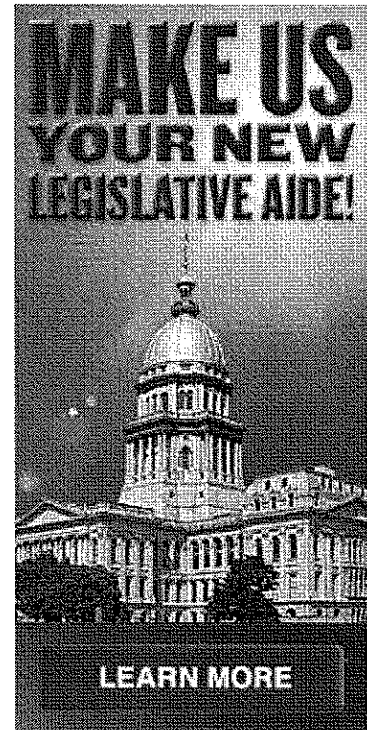
Study: Two-Thirds of Medicaid Expansion Enrollees Were Already Eligible

In this *Health Care News* article, reporter Ben Johnson discusses a *New England Journal of Medicine* article coauthored Jonathan Gruber, a Massachusetts Institute of Technology professor and one of the architects of the Affordable Care Act (ACA). The *New England Journal* article, published in October 2016, found most enrollees in state Medicaid expansion programs were eligible for the government-sponsored health insurance program before the ACA-created expansion went into effect. This means federal taxpayers are paying a higher share of states' Medicaid bills than they should. [Read more](#)

From Our Free-Market Friends

Laboratories of Democracy: How States Get Excellent K-12 U.S. History Standards

Pioneer Education, a center focusing on education reform at



POLICY NEWSPAPER



The January 2017 issue of *Budget & Tax News* reports on the election of Donald Trump, Republicans' continued control of both houses of Congress ... and what it all might mean for downsizing the federal government. Genevieve Wood, a senior fellow at The Heritage Foundation, gave taxpayers reason for hope: "I think you can expect to see

The Pioneer Institute, recently released a study that highlights best practices for establishing and updating K-12 history standards. Authors Anders Lewis and William Donovan recommend states use an academically rigorous and open approach to update standards that would provide members of the public and teachers with multiple opportunities to express their views throughout the drafting and review phases of standards development. The co-authors also suggest the development of standards that are academically detailed and specific. The study highlights efforts to update well-respected history standards in six states: Alabama, California, Indiana, Massachusetts, New York, and South Carolina. For instance, the study points to California's recent standards update in 2016, which, according to the authors, yielded standards that have been poorly received compared to past standards implemented in California and elsewhere. The authors also say the standards in California have drawn accusations of partisanship and ideological bias. [Read more](#)

bold reforms, and by that, I mean a real shrinking back and pulling back of the federal government's power when it comes to taxes, regulations, [and] telling people how to live their everyday lives."

[Health Care News](#)

[Environment & Climate News](#)

[School Reform News](#)

Heartland Institute

The Heartland Institute is a 33-year-old national non-profit organization dedicated to discovering, developing, and promoting free-market solutions to economic and social problems.

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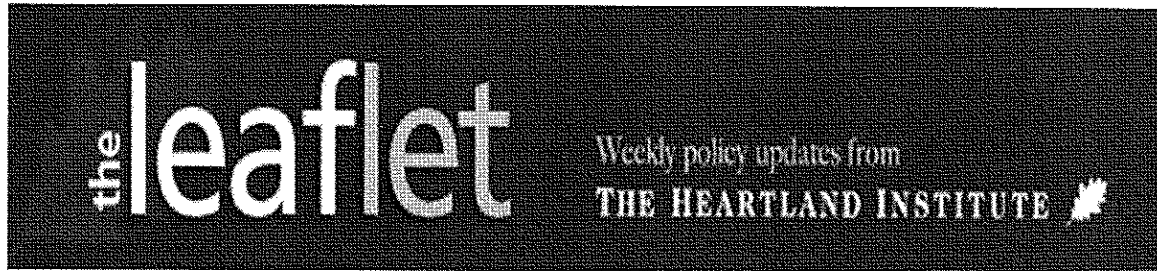
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Education

Research & Commentary: Cuomo’s ‘Free’ Tuition Plan Won’t Help Poor Students or Reduce College Costs

In this *Research & Commentary*, Policy Analyst Tim Benson examines New York Gov. Andrew Cuomo’s (D) plan to provide “free” tuition at all Empire State public colleges and universities for students whose families are earning up to \$125,000 per year. Because lower-income students already qualify for enough aid to pay for tuition at New York state universities, most of the students who will be helped by this bill will be from middle- and upper-middle-income households,

which means New York's lower- and middle-income families will be paying taxes to subsidize the higher education of children belonging to their affluent and upper-middle-income neighbors. Instead of instituting what would amount to a welfare program for upper-middle-income households, Benson argues, New York would be better off directing this money to school choice programs for low-income K-12 students stuck in poorly performing neighborhood public schools, such as tax credit scholarship programs and education savings account plans. [Read more](#)

Energy & Environment

Purdue Researchers Find GMO Ban Would Result in Higher Food Prices and Greenhouse-Gas Emissions

In this story published in *Environment & Climate News*, Managing Editor H. Sterling Burnett writes about a new study in the *Journal of Environmental Protection*. Authored by researchers at Purdue University, the study claims a global ban on genetically modified organisms (GMOs) would result in higher carbon-dioxide emissions and cost billions of dollars in lost welfare. Absent the use of GMO crops, the study finds food prices would be between 0.27 percent and 2.2 percent higher, depending on the region. The study also argues if countries that currently plant GMO crops increase the amount of GMOs they plant to levels comparable to that of the United States, greenhouse-gas emissions would fall by approximately 0.2 billion tons of carbon dioxide globally and up to two million acres of land would revert to forests, grasslands, and wetlands. [Read more](#)

Health Care

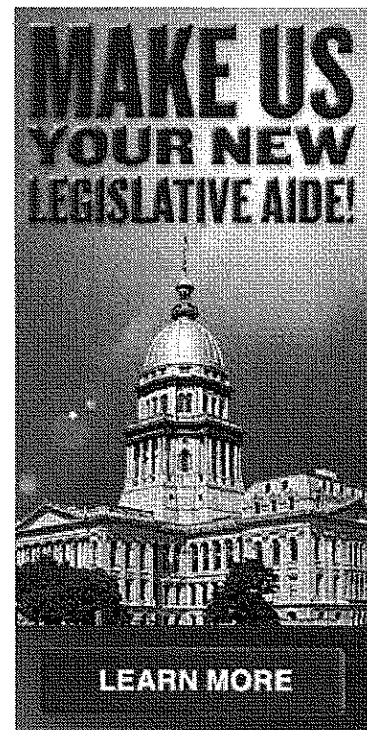
Study: Two-Thirds of Medicaid Expansion Enrollees Were Already Eligible

In this *Health Care News* article, reporter Ben Johnson discusses a *New England Journal of Medicine* article coauthored by Jonathan Gruber, a Massachusetts Institute of Technology professor and one of the architects of the Affordable Care Act (ACA). The *New England Journal* article, published in October 2016, found most enrollees in state Medicaid expansion programs were eligible for the government-sponsored health insurance program before the ACA-created expansion went into effect. This means federal taxpayers are paying a higher share of states' Medicaid bills than they should. [Read more](#)

From Our Free-Market Friends

Laboratories of Democracy: How States Get Excellent K-12 U.S. History Standards

Pioneer Education, a center focusing on education reform at



POLICY NEWSPAPER



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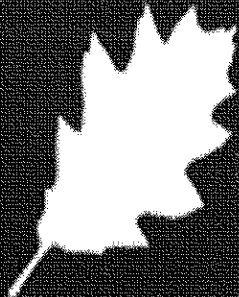
The Pioneer Institute, recently released a study that highlights best practices for establishing and updating K-12 history standards. Authors Anders Lewis and William Donovan recommend states use an academically rigorous and open approach to update standards that would provide members of the public and teachers with multiple opportunities to express their views throughout the drafting and review phases of standards development. The co-authors also suggest the development of standards that are academically detailed and specific. The study highlights efforts to update well-respected history standards in six states: Alabama, California, Indiana, Massachusetts, New York, and South Carolina. For instance, the study points to California's recent standards update in 2016, which, according to the authors, yielded standards that have been poorly received compared to past standards implemented in California and elsewhere. The authors also say the standards in California have drawn accusations of partisanship and ideological bias. [Read more](#)

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[Health Care News](#)

[Environment & Climate News](#)

[School Reform News](#)



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From: Heartland Institute: The Government Relations Team

Sent: Friday, January 20, 2017 4:57 PM

To: Rep07

Subject: The Leaflet - Missed Heartland's Emerging Issues Forum in Orlando?
Watch It Online!



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[YouTube channel.](#)

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Budget & Tax

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Moratorium

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Health Care

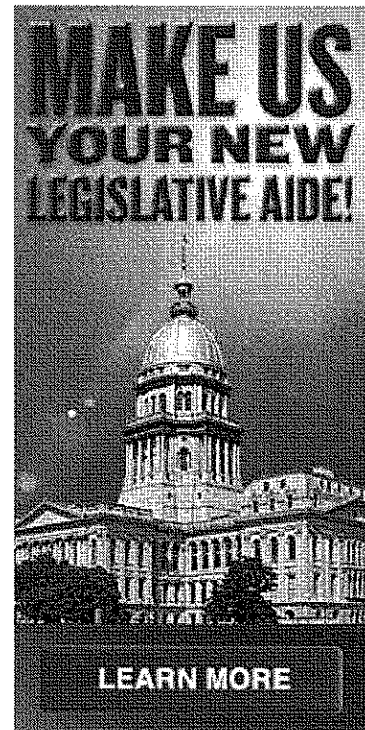
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[Health Care News](#)

[Environment & Climate News](#)

[School Reform News](#)

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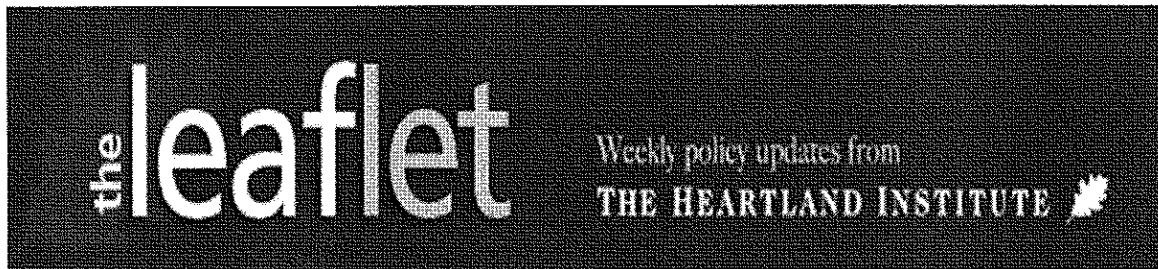
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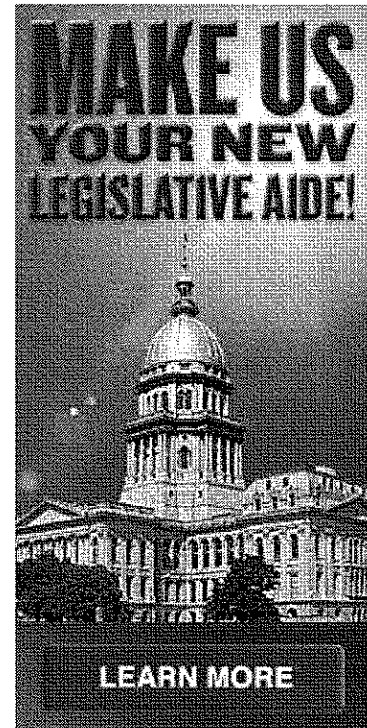
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From: Public Policy Law360
Sent: Tuesday, January 24, 2017 5:30 AM
To: Rep07
Subject: For Trump, Exiting TPP Was The Easy Part



Tuesday, January 24, 2017



TOP NEWS

Analysis

For Trump, Exiting TPP Was The Easy Part

By pulling the U.S. out of the Trans-Pacific Partnership, President Donald Trump was able to fulfill one of the core promises of his campaign, but he may be in for a rude awakening as he attempts to reshape American trade policy in his own image.

2 GOP Sens. Push Own Affordable Care Act Replacement

A pair of Republican senators on Monday pushed their own take on the Affordable Care Act replacement, intent on allowing states to choose the existing system or devise their own health insurance market.

Analysis

Trump, GOP Differences Could Impede Tax Reform Timeline

The House Republicans have tax reform high on their agenda, but their desire to pass legislation before the end of the summer could be significantly impeded if President Donald Trump doesn't agree with their approach for taxing imports and raising approximately \$1.2 trillion.

Analysis

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Brune Law PC
Buchanan Ingersoll
Cooley
Covington & Burling
Cozen O'Connor
Dechert
Dewey & LeBoeuf
Earthjustice
Fennemore Craig
Foley & Lardner
Frankfurt Kurnit
Gardere Wynne Sewell
Gibson Dunn
Goldberg Segalla
Goodwin
Greenberg Traurig
Hinshaw & Culbertson
Holland & Knight
Hopping Green
Hunton & Williams
Husch Blackwell
Jackson Walker

Delayed Fiduciary Rule Faces Host Of Obstacles To Repeal

While President Donald Trump is expected to further delay the start of the U.S. Department of Labor's fiduciary rule for retirement account advisers beyond the regulatory freeze imposed Friday, experts said the path to an actual rollback of the regulation is still unclear — especially if firms that have already put millions into compliance choose not to dismantle their efforts.

Trump State Dept. Pick Tillerson Passes Senate Panel

President Donald Trump's pick for secretary of state has passed his first official test in the Senate despite questions over his ties to Russia, as the Senate's Foreign Relations Committee voted to approve his nomination along party lines.

U.S. Supreme Court Declines To Hear Texas Voter ID Case

The U.S. Supreme Court on Monday declined to hear a case that involves a challenge to a controversial Texas law that requires voters to present specific forms of government-issued IDs to cast a ballot, leaving in place lower court rulings that the law is discriminatory to minority voters.

Analysis

Houston Same-Sex Benefits Row May Test Obergefell's Reach

The Texas Supreme Court's decision to hear a challenge to Houston's same-sex employee benefits program could not only impact employers and threaten the rights of such couples across the state, but also lay the groundwork for a U.S. Supreme Court appeal to limit the effect of the Obergefell decision nationwide.

Cozen O'Connor Atty Named Associate White House Counsel

Miller & Chevalier
Mintz Levin
MoloLamken LLP
Munsch Hardt
Nabors Giblin
Organ Cole
Orrick Herrington
Proskauer Rose
Richards Rodriguez
Sanford Heisler
Seward & Kissel
Sidley Austin
Squire Patton Boggs
Steptoe & Johnson LLP
Stroock & Stroock
Weiner Brodsky
White & Case
Williams & Connolly
WilmerHale

COMPANIES

Aetna Inc.
Allergan PLC
American Federation of Government Employees
Anthem Inc.
Association of Corporate Counsel
Bank of America Corporation
CIGNA Corporation
Exxon Mobil Corporation
Florida Panthers
Florida Power & Light Co.
Glover Park Group LLC
Humana Inc.
Indivior PLC
JPMorgan Chase & Co.
Koch Industries Inc.
Lawyers' Committee for Civil Rights Under Law

A Cozen O'Connor partner who had served as the top lawyer for former Pennsylvania Gov. Tom Corbett is heading to Washington, D.C., to serve as associate White House counsel and a special assistant to President Donald Trump, the firm announced Monday.

Senate Confirms Trump CIA Pick Despite Privacy Concerns

After hearing out objections from a number of Democrats over privacy concerns, the Senate on Monday approved President Donald Trump's pick for Central Intelligence Agency director, Rep. Mike Pompeo, R-Kan., as the third member of the new president's administration.

BANKING & SECURITIES

'No Decision' Yet On Cordray's Future: Trump Spokesman

President Donald Trump has not yet decided whether he will fire the Consumer Financial Protection Bureau's director amid speculation that such a move could come as early as this week, the president's top spokesman said Monday.

Tilton Tasks Justices With Constitutional Review Of SEC Court

Private equity magnate Lynn Tilton has petitioned the U.S. Supreme Court to weigh a circuit split over the constitutionality of the U.S. Securities and Exchange Commission's administrative court, arguing the agency's home field advantage in a \$200 million fraud case against her amounts to a "stacked-deck proceeding."

ENERGY & ENVIRONMENTAL

Obama's EPA Leadership Is Out, Acting Heads Step In

As President Donald Trump assumes control of the executive branch, former leaders at the U.S.

LexisNexis Group
Los Angeles Times
Lyft Inc.
Mylan NV
NBCUniversal Inc.
National Collegiate Athletic Association
National Hockey League
National Right to Work Legal Defense Foundation
Netflix Inc.
New York University
Office Depot Inc.
PHH Corporation
Pfizer Inc.
Public Knowledge
SYSCO Corporation
Sierra Club
Twitter Inc.
U.S. Foods Inc.
Uber Technologies Inc.
Warner Chilcott Limited
Wells Fargo & Co.

GOVERNMENT AGENCIES

Bureau of Citizenship and Immigration Services
Central Intelligence Agency
Competition and Markets Authority
Congressional Budget Office
Consumer Financial Protection Bureau
European Commission
European Securities and Markets Authority
Executive Office of the President
Federal Communications Commission
Federal Deposit Insurance Corp.
Federal Trade Commission

Environmental Protection Agency are out, and acting heads have taken over.

Tossing EPA Haze Rule Is Only Option, 5th Circ. Told

Texas and utilities and business groups fighting the U.S. Environmental Protection Agency's regional haze plan for the state on Friday told the Fifth Circuit that vacating the entire rule is the only way to ensure the agency crafts a revised rule within its legal authority.

Fla. Claims Conflict In Reversal Of Utility's Nuke Plans

Florida's governor and cabinet Monday urged the Florida Supreme Court to review an appeals court's reversal of their approval for Florida Power & Light Co. to build two nuclear generating units and 89 miles of transmission lines in South Florida, arguing the decision conflicts with a prior ruling.

HEALTH & LIFE SCIENCES

Trump Revives Policy Separating NGO Aid From Abortions

President Donald Trump on Monday signed an executive order reinstating the so-called Mexico City Policy, which forbids any foreign nongovernmental organizations that receive U.S. money for family planning from providing, lobbying for or educating about abortions.

Pfizer Hits Back At Texas In Rebate Info Disclosures Suit

Pfizer Inc. told a federal judge in Texas on Friday that, contrary to claims from the Texas Health and Human Services Commission, there is no proof that the commission's disclosure of its drug pricing and rebate information to two state legislators was required in order to oversee administration of the Medicare rebate program.

TRANSPORTATION & INFRASTRUCTURE

Financial Conduct Authority
Florida Department of Environmental Protection
Food and Drug Administration
Government Accountability Office
Internal Revenue Service
International Trade Commission
NAFTA
National Security Council
New York Attorney General's Office
Office of the U.S. Trade Representative
Pennsylvania Public Utility Commission
San Francisco Bay Area Rapid Transit District (BART)
Securities and Exchange Commission
Texas Health and Human Services Commission
Tohono O'odham Nation
U.S. Agency for International Development
U.S. Air Force
U.S. Army
U.S. Attorney's Office
U.S. Consumer Product Safety Commission
U.S. Customs and Border Protection
U.S. Department of Agriculture
U.S. Department of Defense
U.S. Department of Energy
U.S. Department of Health and Human Services
U.S. Department of Homeland Security
U.S. Department of Justice
U.S. Department of Labor
U.S. Department of State

Uber Pushes Pa. Appeals Court To Nix \$11.4M Fine

Uber Inc. urged a Pennsylvania appeals court to throw out an \$11.4 million fine the state's Public Utility Commission slapped on the ride-sharing company in April for operating without proper licensure.

INSURANCE

Calif. High Court Revives Homeowner Insurance Regulation

The California Supreme Court Monday revived a challenged regulation from the state insurance commissioner aimed at protecting homeowners from allegedly misleading insurer estimates of home replacement costs, saying the commissioner didn't overstep his authority in adopting the rule.

EMPLOYMENT

Trump Freezes Federal Hiring, With Some Exceptions

President Donald Trump signed an executive memorandum on Monday that freezes federal hiring but gives agency heads the power to make exceptions for national security or public safety and lets the Office of Personnel Management grant carve-outs where "otherwise necessary."

Suits Challenge Mo. Initiatives Targeting Right-To-Work Laws

Three workers filed a flurry of Missouri state court suits last week challenging 10 proposed ballot initiatives that would guarantee unions the right to require that bargaining unit members pay dues, calling the proposed questions "misleading" under state law.

COMPETITION

U.S. Department of the Treasury

U.S. Environmental Protection Agency

U.S. House of Representatives

U.S. Office of Personnel Management

U.S. Senate

U.S. Supreme Court

UK Antitrust Regulators Mulling Review Threshold Changes

Competition regulators in the U.K. said Monday they are now taking comments on proposed changes to the merger review process, ones that would reduce the number of smaller market deals that are investigated for antitrust concerns.

PRIVACY & CONSUMER PROTECTION

Consumer Rights, Open Internet Under Threat, Group Says

Advocacy group Public Knowledge pledged in an open letter Friday to fight anew for affordable communications and freedom of expression as President Donald Trump was sworn in and a GOP commissioner opposed to the 2015 Open Internet Order was selected as chairman.

Democratic AGs Aim To Back CFPB In DC Circuit

Democratic attorneys general from 16 states and the District of Columbia on Monday asked to intervene in a high-stakes case that could weaken the Consumer Financial Protection Bureau, arguing that the Trump administration's hostility to the federal consumer finance watchdog made their support for the bureau necessary.

GOVERNMENT CONTRACTS

Trump Chooses Former NM Rep. To Lead Air Force

President Donald Trump on Monday nominated former U.S. Air Force officer and Republican Rep. Heather Wilson as Air Force secretary, saying her military service and the wide variety of roles she has held across her career would make her an "outstanding" leader.

INTERNATIONAL TRADE

Trump Overhauls US Trade Policy With TPP Withdrawal

President Donald Trump pulled the U.S. out of the Trans-Pacific Partnership Monday, undoing one of the Obama administration's signature economic achievements with the stroke of his pen to usher in a new era of U.S. trade policy that will focus on enforcement and smaller accords.

TAX

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From: Public Policy Law360
Sent: Tuesday, January 24, 2017 5:30 AM
To: Rep07
Subject: For Trump, Exiting TPP Was The Easy Part



Tuesday, January 24, 2017



TOP NEWS

Analysis

For Trump, Exiting TPP Was The Easy Part

By pulling the U.S. out of the Trans-Pacific Partnership, President Donald Trump was able to fulfill one of the core promises of his campaign, but he may be in for a rude awakening as he attempts to reshape American trade policy in his own image.

2 GOP Sens. Push Own Affordable Care Act Replacement

A pair of Republican senators on Monday pushed their own take on the Affordable Care Act replacement, intent on allowing states to choose the existing system or devise their own health insurance market.

Analysis

Trump, GOP Differences Could Impede Tax Reform Timeline

The House Republicans have tax reform high on their agenda, but their desire to pass legislation before the end of the summer could be significantly impeded if President Donald Trump doesn't agree with their approach for taxing imports and raising approximately \$1.2 trillion.

Analysis

LAW FIRMS

Arnold & Porter Kaye Scholer
Baker Botts
Balch & Bingham
Brune Law PC
Buchanan Ingersoll
Cooley
Covington & Burling
Cozen O'Connor
Dechert
Dewey & LeBoeuf
Earthjustice
Fennemore Craig
Foley & Lardner
Frankfurt Kurnit
Gardere Wynne Sewell
Gibson Dunn
Goldberg Segalla
Goodwin
Greenberg Traurig
Hinshaw & Culbertson
Holland & Knight
Hopping Green
Hunton & Williams
Husch Blackwell
Jackson Walker

Delayed Fiduciary Rule Faces Host Of Obstacles To Repeal

While President Donald Trump is expected to further delay the start of the U.S. Department of Labor's fiduciary rule for retirement account advisers beyond the regulatory freeze imposed Friday, experts said the path to an actual rollback of the regulation is still unclear — especially if firms that have already put millions into compliance choose not to dismantle their efforts.

Trump State Dept. Pick Tillerson Passes Senate Panel

President Donald Trump's pick for secretary of state has passed his first official test in the Senate despite questions over his ties to Russia, as the Senate's Foreign Relations Committee voted to approve his nomination along party lines.

U.S. Supreme Court Declines To Hear Texas Voter ID Case

The U.S. Supreme Court on Monday declined to hear a case that involves a challenge to a controversial Texas law that requires voters to present specific forms of government-issued IDs to cast a ballot, leaving in place lower court rulings that the law is discriminatory to minority voters.

Analysis

Houston Same-Sex Benefits Row May Test Obergefell's Reach

The Texas Supreme Court's decision to hear a challenge to Houston's same-sex employee benefits program could not only impact employers and threaten the rights of such couples across the state, but also lay the groundwork for a U.S. Supreme Court appeal to limit the effect of the Obergefell decision nationwide.

Cozen O'Connor Atty Named Associate White House Counsel

Miller & Chevalier
Mintz Levin
MoloLamken LLP
Munsch Hardt
Nabors Giblin
Organ Cole
Orrick Herrington
Proskauer Rose
Richards Rodriguez
Sanford Heisler
Seward & Kissel
Sidley Austin
Squire Patton Boggs
Steptoe & Johnson LLP
Stroock & Stroock
Weiner Brodsky
White & Case
Williams & Connolly
WilmerHale

COMPANIES

Aetna Inc.
Allergan PLC
American Federation of Government Employees
Anthem Inc.
Association of Corporate Counsel
Bank of America Corporation
CIGNA Corporation
Exxon Mobil Corporation
Florida Panthers
Florida Power & Light Co.
Glover Park Group LLC
Humana Inc.
Indivior PLC
JPMorgan Chase & Co.
Koch Industries Inc.
Lawyers' Committee for Civil Rights Under Law

A Cozen O'Connor partner who had served as the top lawyer for former Pennsylvania Gov. Tom Corbett is heading to Washington, D.C., to serve as associate White House counsel and a special assistant to President Donald Trump, the firm announced Monday.

Senate Confirms Trump CIA Pick Despite Privacy Concerns

After hearing out objections from a number of Democrats over privacy concerns, the Senate on Monday approved President Donald Trump's pick for Central Intelligence Agency director, Rep. Mike Pompeo, R-Kan., as the third member of the new president's administration.

BANKING & SECURITIES

'No Decision' Yet On Cordray's Future: Trump Spokesman

President Donald Trump has not yet decided whether he will fire the Consumer Financial Protection Bureau's director amid speculation that such a move could come as early as this week, the president's top spokesman said Monday.

Tilton Tasks Justices With Constitutional Review Of SEC Court

Private equity magnate Lynn Tilton has petitioned the U.S. Supreme Court to weigh a circuit split over the constitutionality of the U.S. Securities and Exchange Commission's administrative court, arguing the agency's home field advantage in a \$200 million fraud case against her amounts to a "stacked-deck proceeding."

ENERGY & ENVIRONMENTAL

Obama's EPA Leadership Is Out, Acting Heads Step In

As President Donald Trump assumes control of the executive branch, former leaders at the U.S.

LexisNexis Group
Los Angeles Times
Lyft Inc.
Mylan NV
NBCUniversal Inc.
National Collegiate Athletic Association
National Hockey League
National Right to Work Legal Defense Foundation
Netflix Inc.
New York University
Office Depot Inc.
PHH Corporation
Pfizer Inc.
Public Knowledge
SYSCO Corporation
Sierra Club
Twitter Inc.
U.S. Foods Inc.
Uber Technologies Inc.
Warner Chilcott Limited
Wells Fargo & Co.

GOVERNMENT AGENCIES

Bureau of Citizenship and Immigration Services
Central Intelligence Agency
Competition and Markets Authority
Congressional Budget Office
Consumer Financial Protection Bureau
European Commission
European Securities and Markets Authority
Executive Office of the President
Federal Communications Commission
Federal Deposit Insurance Corp.
Federal Trade Commission

Environmental Protection Agency are out, and acting heads have taken over.

Tossing EPA Haze Rule Is Only Option, 5th Circ. Told

Texas and utilities and business groups fighting the U.S. Environmental Protection Agency's regional haze plan for the state on Friday told the Fifth Circuit that vacating the entire rule is the only way to ensure the agency crafts a revised rule within its legal authority.

Fla. Claims Conflict In Reversal Of Utility's Nuke Plans

Florida's governor and cabinet Monday urged the Florida Supreme Court to review an appeals court's reversal of their approval for Florida Power & Light Co. to build two nuclear generating units and 89 miles of transmission lines in South Florida, arguing the decision conflicts with a prior ruling.

HEALTH & LIFE SCIENCES

Trump Revives Policy Separating NGO Aid From Abortions

President Donald Trump on Monday signed an executive order reinstating the so-called Mexico City Policy, which forbids any foreign nongovernmental organizations that receive U.S. money for family planning from providing, lobbying for or educating about abortions.

Pfizer Hits Back At Texas In Rebate Info Disclosures Suit

Pfizer Inc. told a federal judge in Texas on Friday that, contrary to claims from the Texas Health and Human Services Commission, there is no proof that the commission's disclosure of its drug pricing and rebate information to two state legislators was required in order to oversee administration of the Medicare rebate program.

TRANSPORTATION & INFRASTRUCTURE

Financial Conduct Authority
Florida Department of Environmental Protection
Food and Drug Administration
Government Accountability Office
Internal Revenue Service
International Trade Commission
NAFTA
National Security Council
New York Attorney General's Office
Office of the U.S. Trade Representative
Pennsylvania Public Utility Commission
San Francisco Bay Area Rapid Transit District (BART)
Securities and Exchange Commission
Texas Health and Human Services Commission
Tohono O'odham Nation
U.S. Agency for International Development
U.S. Air Force
U.S. Army
U.S. Attorney's Office
U.S. Consumer Product Safety Commission
U.S. Customs and Border Protection
U.S. Department of Agriculture
U.S. Department of Defense
U.S. Department of Energy
U.S. Department of Health and Human Services
U.S. Department of Homeland Security
U.S. Department of Justice
U.S. Department of Labor
U.S. Department of State

Uber Pushes Pa. Appeals Court To Nix \$11.4M Fine

Uber Inc. urged a Pennsylvania appeals court to throw out an \$11.4 million fine the state's Public Utility Commission slapped on the ride-sharing company in April for operating without proper licensure.

INSURANCE

Calif. High Court Revives Homeowner Insurance Regulation

The California Supreme Court Monday revived a challenged regulation from the state insurance commissioner aimed at protecting homeowners from allegedly misleading insurer estimates of home replacement costs, saying the commissioner didn't overstep his authority in adopting the rule.

EMPLOYMENT

Trump Freezes Federal Hiring, With Some Exceptions

President Donald Trump signed an executive memorandum on Monday that freezes federal hiring but gives agency heads the power to make exceptions for national security or public safety and lets the Office of Personnel Management grant carve-outs where "otherwise necessary."

Suits Challenge Mo. Initiatives Targeting Right-To-Work Laws

Three workers filed a flurry of Missouri state court suits last week challenging 10 proposed ballot initiatives that would guarantee unions the right to require that bargaining unit members pay dues, calling the proposed questions "misleading" under state law.

COMPETITION

U.S. Department of the Treasury

U.S. Environmental Protection Agency

U.S. House of Representatives

U.S. Office of Personnel Management

U.S. Senate

U.S. Supreme Court

UK Antitrust Regulators Mulling Review Threshold Changes

Competition regulators in the U.K. said Monday they are now taking comments on proposed changes to the merger review process, ones that would reduce the number of smaller market deals that are investigated for antitrust concerns.

PRIVACY & CONSUMER PROTECTION

Consumer Rights, Open Internet Under Threat, Group Says

Advocacy group Public Knowledge pledged in an open letter Friday to fight anew for affordable communications and freedom of expression as President Donald Trump was sworn in and a GOP commissioner opposed to the 2015 Open Internet Order was selected as chairman.

Democratic AGs Aim To Back CFPB In DC Circuit

Democratic attorneys general from 16 states and the District of Columbia on Monday asked to intervene in a high-stakes case that could weaken the Consumer Financial Protection Bureau, arguing that the Trump administration's hostility to the federal consumer finance watchdog made their support for the bureau necessary.

GOVERNMENT CONTRACTS

Trump Chooses Former NM Rep. To Lead Air Force

President Donald Trump on Monday nominated former U.S. Air Force officer and Republican Rep. Heather Wilson as Air Force secretary, saying her military service and the wide variety of roles she has held across her career would make her an "outstanding" leader.

INTERNATIONAL TRADE

Trump Overhauls US Trade Policy With TPP Withdrawal

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From: Public Policy Law360
Sent: Thursday, February 2, 2017 5:24 AM
To: Rep07
Subject: Trump's Immigration Ban Sends Cos. Scrambling



Thursday, February 2, 2017



TOP NEWS

Analysis

Trump's Immigration Ban Sends Cos. Scrambling

President Donald Trump's sweeping executive order blocking people from certain predominantly Muslim countries from entering the U.S. left companies scrambling to figure out which employees may be affected, immigration experts say, and may lead to disruptions for both businesses and students trying to study in America.

Sessions AG Nomination Advances In Senate

After numerous delays, the Senate Judiciary Committee sent the attorney general nomination of Sen. Jeff Sessions, R-Ala., to the full Senate on Wednesday, as fights over President Donald Trump's Cabinet appointments and immigration order ramp up in Congress.

Veterans Affairs Nominee Promises Care Won't Be Privatized

Veterans Affairs Secretary nominee David Shulkin promised lawmakers Wednesday he would not seek to privatize the department but also asked for congressional help to allow the agency to move forward with needed changes.

LAW FIRMS

Alston & Bird
Arent Fox
Arnold & Porter Kaye Scholer
BakerHostetler
Balch & Bingham
Ballard Spahr
Barnes & Thornburg
Bell Nunnally
Cahill Gordon
Conner & Winters
Cooper & Kirk
Cozen O'Connor
DLA Piper
Debevoise & Plimpton
Dorsey & Whitney
Drinker Biddle
Earthjustice
Epstein Becker Green
Eversheds LLP
Fisher Phillips
Foley & Lardner
Ford & Harrison
Fox Rothschild
Fragomen Del Rey
Gibson Dunn

Analysis

IRS Update On Large-Business Audits Too Vague, Critics Say

Tax practitioners who were eagerly awaiting news on how the IRS would change its approach to auditing large corporations with assets of more than \$10 million were disappointed Tuesday, when the agency released an update that is being criticized as vague and lacking in substantive guidance.

Analysis

A Look At How Congress Could Revamp Patent-Eligibility

Several major intellectual property groups have called for new legislation to clarify what is and is not patent-eligible amid confusion over recent U.S. Supreme Court rulings. Here, attorneys discuss how Congress could frame the change and how it could impact patent law.

Analysis

Trump Immigration Ban Causing Headaches For Airlines

President Donald Trump's executive order temporarily barring citizens from seven predominantly Muslim countries from entering the U.S. caught airlines off guard, leaving them grappling with compliance questions and wondering if they may face suits from travelers who feel their rights have been violated.

Senate Panel Advances Price, Mnuchin Without Dems Present

A key Senate panel on Wednesday voted to move forward the nominations of President Donald Trump's picks to lead the U.S. Department of the Treasury and the Department of Health and Human Services without any Democratic members present.

Senate Approves Tillerson As Secretary Of State

Former Exxon CEO Rex Tillerson will serve as President Donald Trump's secretary of state after receiving Senate confirmation Wednesday, as battles over the Cabinet continue this week

Goodwin

Gordon Fournaris

Hogan Lovells

Holland & Knight

Honigman Miller

Jackson Lewis

Jackson Walker

Keker & Van Nest

Kellogg Huber

Kilpatrick Townsend

Kirton & McConkie

Kostelanetz & Fink

Latham & Watkins

Levy Ratner

Lewis Baach

Lewis Brisbois

Littler Mendelson

Mayer Brown

McDonnell Boehnen

Miller & Chevalier

Morrison & Foerster

Neal Gerber

Nilan Johnson

Norton Rose Fulbright

Paul Hastings

Polsinelli

Proskauer Rose

Quinn Connor

Seyfarth Shaw

Sheppard Mullin

Sidley Austin

Sirote & Permutt

Steptoe & Johnson LLP

Susman Godfrey

Sutherland Asbill

Venable LLP

Waller Lansden

Weil Gotshal

amid Trump's controversial order on immigration.

SUPREME COURT

Analysis

Gorsuch's Opening Words Speak Volumes About His Style

Never one to pass up the chance to spin a good yarn, U.S. Supreme Court nominee Neil Gorsuch's body of rulings during a decade at the Tenth Circuit casts him as a fervent storyteller. A look at some of his best opening passages reveals a narrative writing style that's light on legalese and heavy on plot, setting and characters.

Analysis

The 4 Wittiest Dissents By Gorsuch

During his tenure on the Tenth Circuit, Judge Neil Gorsuch wrote more than 30 playful, witty dissents that both entertain the reader and give clear insight to his legal thinking. Here, Law360 looks at the best of the bunch and what they say about his thoughts on legislating from the bench, prepositional phrases and everything in between.

Attys React To Judge Gorsuch's Supreme Court Nomination

President Donald Trump nominated Tenth Circuit Judge Neil Gorsuch on Tuesday to become the next associate justice on the U.S. Supreme Court, aiming to fill the vacancy left by Justice Antonin Scalia's death. Here, attorneys tell Law360 what they think about the nomination.

Analysis

Senators Flirt With Nuclear Option Over High Court Pick

The Senate fight over Tenth Circuit Judge Neil Gorsuch's nomination to the U.S. Supreme Court could soon "go nuclear," as less than a day after President Donald Trump put Gorsuch up for the court, political discussion has already turned to breaking a likely Democratic filibuster

WilmerHale

Winston & Strawn

Young Conaway

COMPANIES

AT&T Inc.

Airbnb Inc.

Amazon.com Inc.

America Fujikura Ltd.

America's Health Insurance Plans

American Bar Association

American Civil Liberties Union

American Dental Association

American Federation of Labor and Congress of Industrial Organizations

American Federation of State, County and Municipal Employees

American Federation of Teachers

American Hospital Association

American Immigration Lawyers Association

American International Group Inc.

American Petroleum Institute Inc.

Apple Inc.

Apricus Biosciences Inc.

Arrow Financial Corp.

Aviation Capital Group

Bank of America Corporation

Baxalta Inc.

Baxter International Inc.

Brunswick Corporation

Burger King Holdings Inc.

CIT Group Inc.

CME Group Inc.

CTIA

CVS Caremark Corporation

Caesars Entertainment

Celanese Corporation

Chevron Corporation

and pushing him through without any bipartisan support.

Analysis

Similar On The Law, Gorsuch Differs From Scalia In Style

If confirmed by the Senate, U.S. Supreme Court nominee Neil Gorsuch would bring to the bench a strikingly similar judicial philosophy to that of the late Justice Antonin Scalia, but former clerks and colleagues say the Tenth Circuit judge and Colorado native's congenial temperament couldn't be more different from his fiery predecessor's.

Analysis

Labor Agencies Would Face Rough Road Before Gorsuch

If confirmed to fill the open seat on the U.S. Supreme Court, Judge Neil Gorsuch could bring a management-friendly voice to the high court, experts say, pointing to the deep skepticism the jurist has expressed toward aggressive regulatory actions by labor agencies such as the National Labor Relations Board.

Analysis

Gorsuch Likely No Friend To Securities Suits

Plaintiffs firms could be on rough terrain at the U.S. Supreme Court if the Senate confirms Tenth Circuit Judge Neil M. Gorsuch, an exacting jurist who as a private attorney voiced concerns about the growing number of securities class actions and as a judge has taken a narrow view of securities fraud liability.

BANKING & SECURITIES

House Passes Bill Revoking SEC Payment Disclosure Rule

The U.S. House of Representatives passed a measure Wednesday that would disapprove a U.S. Securities and Exchange Commission rule requiring oil and gas extraction companies to disclose their payments to foreign governments,

Church's Chicken
Citigroup Inc.
Commonwealth Edison Co.
Competitive Carriers Association
Council for Global Immigration
Covidien PLC
DISH Network Corporation
Depository Trust & Clearing Corp.
Education Management Corporation
Eli Lilly and Company
Evercore Partners Inc.
Exelon Corporation
Expedia Inc.
Exxon Mobil Corporation
FedEx Corporation
Federalist Society
Fifth Third Bancorp
Friedman LLP
Geeknet, Inc.
General Electric Company
Google Inc.
Guy Carpenter & Co. LLC
Hobby Lobby Stores
IP Owners Association
International Lease Finance Corp.
Javlin Capital LLC
LinkedIn Corp.
Mallinckrodt PLC
Marsh & McLennan Companies Inc.
Microsoft Corporation
National Association of Health Underwriters
National Association of Insurance Commissioners
National Association of Manufacturers

potentially preventing the agency from implementing the regulation.

SEC Will Reconsider Conflict Minerals Disclosure Rule

The U.S. Securities and Exchange Commission is rethinking a rule that companies publicly disclose whether products contain minerals mined in Central African war zones, saying that although the rule has been in limbo since the D.C. Circuit declared it unconstitutional, negative effects persist.

ENERGY & ENVIRONMENTAL

ND Pols Claim Army Corps Will Issue Dakota Access Approval

The acting secretary of the Army has commanded the U.S. Army Corps of Engineers to grant Dakota Access LLC the final — and much disputed — approval needed to complete its controversial \$3.8 billion, 1,172-mile crude oil pipeline, three North Dakota lawmakers claimed Tuesday despite a contradictory statement from the Army.

Senate Dems Boycott, Block Pruitt EPA Vote

Senate Democrats on Wednesday blocked the confirmation of President Donald Trump's choice to lead the U.S. Environmental Protection Agency by refusing to attend a scheduled committee vote.

House Votes To Dam Up Stream Protection Rule

The House passed a measure to repeal a controversial Obama administration rule aimed at minimizing coal mining's harm to surface water and groundwater Wednesday, as part of a package of laws meant to remove the former president's rule legacy.

Enviros Sue EPA Over Trump-Yanked Mercury Rule

National Collegiate Athletic Association

Natural Resources Defense Council

Omnicare Inc.

OneWest Bank Group LLC

Pac-12 Conference

Pacific Life Insurance

PhRMA

Prime Therapeutics LLC

Randstad Holding NV

Reed Elsevier

SLM Corporation

Sears Holdings Corporation

Sequenom, Inc.

Service Employees International Union

Suntrust Banks Inc.

T-Mobile USA Inc.

The DIRECTV Group, Inc.

The Royal Bank of Scotland Group PLC

Time Warner Cable

TransAm Trucking Inc.

Twitter Inc.

U.S. Chamber of Commerce

U.S. Foods Inc.

United Western Bancorp, Inc.

Verizon Communications

Virtual Radiologic Corporation

Washington Legal Foundation

comScore, Inc.

GOVERNMENT AGENCIES

Army Corps of Engineers

Bureau of Citizenship and Immigration Services

Centers for Medicare & Medicaid Services

Central Intelligence Agency

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European Commission
Executive Office of the President
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Federal Reserve System
Federal Trade Commission
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Internal Revenue Service
National Labor Relations Board
Office of Surface Mining Reclamation and Enforcement
Office of the Director of National Intelligence
Securities and Exchange Commission
Standing Rock Sioux Tribe
U.S. Army
U.S. Copyright Office
U.S. Customs and Border Protection
U.S. Department of Agriculture
U.S. Department of Defense
U.S. Department of Health and Human Services
U.S. Department of Homeland Security
U.S. Department of Justice
U.S. Department of Labor
U.S. Department of State
U.S. Department of Veterans Affairs
U.S. Department of the Interior
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Management

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Legal Field Could Benefit From Mindfulness Training: Paper

The benefits of mindfulness are coming to the fore in popular culture and a number of U.S. industries, but little is known about its advantages in the legal field where it has the

potential to boost decision-making, ethics and leadership skills, a new paper said Tuesday.

JOBS

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From: Public Policy Law360
Sent: Thursday, February 2, 2017 5:24 AM
To: Rep07
Subject: Trump's Immigration Ban Sends Cos. Scrambling



Thursday, February 2, 2017



TOP NEWS

Analysis

Trump's Immigration Ban Sends Cos. Scrambling

President Donald Trump's sweeping executive order blocking people from certain predominantly Muslim countries from entering the U.S. left companies scrambling to figure out which employees may be affected, immigration experts say, and may lead to disruptions for both businesses and students trying to study in America.

Sessions AG Nomination Advances In Senate

After numerous delays, the Senate Judiciary Committee sent the attorney general nomination of Sen. Jeff Sessions, R-Ala., to the full Senate on Wednesday, as fights over President Donald Trump's Cabinet appointments and immigration order ramp up in Congress.

Veterans Affairs Nominee Promises Care Won't Be Privatized

Veterans Affairs Secretary nominee David Shulkin promised lawmakers Wednesday he would not seek to privatize the department but also asked for congressional help to allow the agency to move forward with needed changes.

LAW FIRMS

Alston & Bird
Arent Fox
Arnold & Porter Kaye Scholer
BakerHostetler
Balch & Bingham
Ballard Spahr
Barnes & Thornburg
Bell Nunnally
Cahill Gordon
Conner & Winters
Cooper & Kirk
Cozen O'Connor
DLA Piper
Debevoise & Plimpton
Dorsey & Whitney
Drinker Biddle
Earthjustice
Epstein Becker Green
Eversheds LLP
Fisher Phillips
Foley & Lardner
Ford & Harrison
Fox Rothschild
Fragomen Del Rey
Gibson Dunn

Analysis

IRS Update On Large-Business Audits Too Vague, Critics Say

Tax practitioners who were eagerly awaiting news on how the IRS would change its approach to auditing large corporations with assets of more than \$10 million were disappointed Tuesday, when the agency released an update that is being criticized as vague and lacking in substantive guidance.

Analysis

A Look At How Congress Could Revamp Patent-Eligibility

Several major intellectual property groups have called for new legislation to clarify what is and is not patent-eligible amid confusion over recent U.S. Supreme Court rulings. Here, attorneys discuss how Congress could frame the change and how it could impact patent law.

Analysis

Trump Immigration Ban Causing Headaches For Airlines

President Donald Trump's executive order temporarily barring citizens from seven predominantly Muslim countries from entering the U.S. caught airlines off guard, leaving them grappling with compliance questions and wondering if they may face suits from travelers who feel their rights have been violated.

Senate Panel Advances Price, Mnuchin Without Dems Present

A key Senate panel on Wednesday voted to move forward the nominations of President Donald Trump's picks to lead the U.S. Department of the Treasury and the Department of Health and Human Services without any Democratic members present.

Senate Approves Tillerson As Secretary Of State

Former Exxon CEO Rex Tillerson will serve as President Donald Trump's secretary of state after receiving Senate confirmation Wednesday, as battles over the Cabinet continue this week

Goodwin

Gordon Fournaris

Hogan Lovells

Holland & Knight

Honigman Miller

Jackson Lewis

Jackson Walker

Keker & Van Nest

Kellogg Huber

Kilpatrick Townsend

Kirton & McConkie

Kostelanetz & Fink

Latham & Watkins

Levy Ratner

Lewis Baach

Lewis Brisbois

Littler Mendelson

Mayer Brown

McDonnell Boehnen

Miller & Chevalier

Morrison & Foerster

Neal Gerber

Nilan Johnson

Norton Rose Fulbright

Paul Hastings

Polsinelli

Proskauer Rose

Quinn Connor

Seyfarth Shaw

Sheppard Mullin

Sidley Austin

Sirote & Permutt

Steptoe & Johnson LLP

Susman Godfrey

Sutherland Asbill

Venable LLP

Waller Lansden

Weil Gotshal

amid Trump's controversial order on immigration.

SUPREME COURT

Analysis

Gorsuch's Opening Words Speak Volumes About His Style

Never one to pass up the chance to spin a good yarn, U.S. Supreme Court nominee Neil Gorsuch's body of rulings during a decade at the Tenth Circuit casts him as a fervent storyteller. A look at some of his best opening passages reveals a narrative writing style that's light on legalese and heavy on plot, setting and characters.

Analysis

The 4 Wittiest Dissents By Gorsuch

During his tenure on the Tenth Circuit, Judge Neil Gorsuch wrote more than 30 playful, witty dissents that both entertain the reader and give clear insight to his legal thinking. Here, Law360 looks at the best of the bunch and what they say about his thoughts on legislating from the bench, prepositional phrases and everything in between.

Attys React To Judge Gorsuch's Supreme Court Nomination

President Donald Trump nominated Tenth Circuit Judge Neil Gorsuch on Tuesday to become the next associate justice on the U.S. Supreme Court, aiming to fill the vacancy left by Justice Antonin Scalia's death. Here, attorneys tell Law360 what they think about the nomination.

Analysis

Senators Flirt With Nuclear Option Over High Court Pick

The Senate fight over Tenth Circuit Judge Neil Gorsuch's nomination to the U.S. Supreme Court could soon "go nuclear," as less than a day after President Donald Trump put Gorsuch up for the court, political discussion has already turned to breaking a likely Democratic filibuster

WilmerHale

Winston & Strawn

Young Conaway

COMPANIES

AT&T Inc.

Airbnb Inc.

Amazon.com Inc.

America Fujikura Ltd.

America's Health Insurance Plans

American Bar Association

American Civil Liberties Union

American Dental Association

American Federation of Labor and Congress of Industrial Organizations

American Federation of State, County and Municipal Employees

American Federation of Teachers

American Hospital Association

American Immigration Lawyers Association

American International Group Inc.

American Petroleum Institute Inc.

Apple Inc.

Apricus Biosciences Inc.

Arrow Financial Corp.

Aviation Capital Group

Bank of America Corporation

Baxalta Inc.

Baxter International Inc.

Brunswick Corporation

Burger King Holdings Inc.

CIT Group Inc.

CME Group Inc.

CTIA

CVS Caremark Corporation

Caesars Entertainment

Celanese Corporation

Chevron Corporation

and pushing him through without any bipartisan support.

Analysis

Similar On The Law, Gorsuch Differs From Scalia In Style

If confirmed by the Senate, U.S. Supreme Court nominee Neil Gorsuch would bring to the bench a strikingly similar judicial philosophy to that of the late Justice Antonin Scalia, but former clerks and colleagues say the Tenth Circuit judge and Colorado native's congenial temperament couldn't be more different from his fiery predecessor's.

Analysis

Labor Agencies Would Face Rough Road Before Gorsuch

If confirmed to fill the open seat on the U.S. Supreme Court, Judge Neil Gorsuch could bring a management-friendly voice to the high court, experts say, pointing to the deep skepticism the jurist has expressed toward aggressive regulatory actions by labor agencies such as the National Labor Relations Board.

Analysis

Gorsuch Likely No Friend To Securities Suits

Plaintiffs firms could be on rough terrain at the U.S. Supreme Court if the Senate confirms Tenth Circuit Judge Neil M. Gorsuch, an exacting jurist who as a private attorney voiced concerns about the growing number of securities class actions and as a judge has taken a narrow view of securities fraud liability.

BANKING & SECURITIES

House Passes Bill Revoking SEC Payment Disclosure Rule

The U.S. House of Representatives passed a measure Wednesday that would disapprove a U.S. Securities and Exchange Commission rule requiring oil and gas extraction companies to disclose their payments to foreign governments,

Church's Chicken

Citigroup Inc.

Commonwealth Edison Co.

Competitive Carriers Association

Council for Global Immigration

Covidien PLC

DISH Network Corporation

Depository Trust & Clearing Corp.

Education Management Corporation

Eli Lilly and Company

Evercore Partners Inc.

Exelon Corporation

Expedia Inc.

Exxon Mobil Corporation

FedEx Corporation

Federalist Society

Fifth Third Bancorp

Friedman LLP

Geeknet, Inc.

General Electric Company

Google Inc.

Guy Carpenter & Co. LLC

Hobby Lobby Stores

IP Owners Association

International Lease Finance Corp.

Javlin Capital LLC

LinkedIn Corp.

Mallinckrodt PLC

Marsh & McLennan Companies Inc.

Microsoft Corporation

National Association of Health Underwriters

National Association of Insurance Commissioners

National Association of Manufacturers

potentially preventing the agency from implementing the regulation.

SEC Will Reconsider Conflict Minerals Disclosure Rule

The U.S. Securities and Exchange Commission is rethinking a rule that companies publicly disclose whether products contain minerals mined in Central African war zones, saying that although the rule has been in limbo since the D.C. Circuit declared it unconstitutional, negative effects persist.

ENERGY & ENVIRONMENTAL

ND Pols Claim Army Corps Will Issue Dakota Access Approval

The acting secretary of the Army has commanded the U.S. Army Corps of Engineers to grant Dakota Access LLC the final — and much disputed — approval needed to complete its controversial \$3.8 billion, 1,172-mile crude oil pipeline, three North Dakota lawmakers claimed Tuesday despite a contradictory statement from the Army.

Senate Dems Boycott, Block Pruitt EPA Vote

Senate Democrats on Wednesday blocked the confirmation of President Donald Trump's choice to lead the U.S. Environmental Protection Agency by refusing to attend a scheduled committee vote.

House Votes To Dam Up Stream Protection Rule

The House passed a measure to repeal a controversial Obama administration rule aimed at minimizing coal mining's harm to surface water and groundwater Wednesday, as part of a package of laws meant to remove the former president's rule legacy.

Enviros Sue EPA Over Trump-Yanked Mercury Rule

National Collegiate Athletic Association

Natural Resources Defense Council

Omnicare Inc.

OneWest Bank Group LLC

Pac-12 Conference

Pacific Life Insurance

PhRMA

Prime Therapeutics LLC

Randstad Holding NV

Reed Elsevier

SLM Corporation

Sears Holdings Corporation

Sequenom, Inc.

Service Employees International Union

Suntrust Banks Inc.

T-Mobile USA Inc.

The DIRECTV Group, Inc.

The Royal Bank of Scotland Group PLC

Time Warner Cable

TransAm Trucking Inc.

Twitter Inc.

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U.S. Department of Homeland Security
U.S. Department of Justice
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From: Public Policy Law360
Sent: Friday, February 3, 2017 5:33 AM
To: Rep07
Subject: House Panel OKs Bill Mandating Sanctions On Frivolous Suits



Friday, February 3, 2017



TOP NEWS

House Panel OKs Bill Mandating Sanctions On Frivolous Suits

Sanctions for frivolous federal lawsuits could become mandatory again, if a bill passed by a House panel Thursday makes it through the rest of Congress.

Analysis

New National Right-To-Work Bill Has Real Chance

The national right-to-work bill introduced Wednesday in the House of Representatives poses an existential crisis for the labor movement. And where past attempts at a national law didn't get far, experts say this latest push has a real — albeit small — chance of success.

Sen. Committee Suspends Rules, Advances Pruitt EPA Nom

The U.S. Senate Environment and Public Works Committee on Thursday advanced Oklahoma Attorney General Scott Pruitt one step closer to taking the helm of the U.S. Environmental Protection Agency after suspending rules that required members of the minority party to be present, as Democrats boycotted the vote for the second day in a row.

LAW FIRMS

Alston & Bird
Baker Botts
Barris Sott
Bayard PA
Boies Schiller
Brownstein Hyatt
Bull Housser
Cary Kane
Chadbourne & Parke
Chestnut Cambronne PA
Cooley
Covington & Burling
Crowell & Moring
DLA Piper
Faegre Baker
Figliuolo & Silverman
Fisher Phillips
Flaherty Sensabaugh
Gibson Dunn
Girard Gibbs
Goodwin
Heins Mills
Holland & Knight
Hunton & Williams
Jackson Lewis

White House Chides Dems For Gorsuch Filibuster Threats

The Trump White House on Thursday slammed Senate Democrats for demanding 60 votes to place Tenth Circuit Judge Neil M. Gorsuch in the late Justice Antonin Scalia's Supreme Court seat, saying that the minority party is "grasping at straws" with its stated plan to filibuster the nominee.

Congress Passes Bill To Revoke Stream Protection Rule

The first bill to repeal one of former President Barack Obama's administrative rules cleared Congress on Thursday, as the Senate passed a bill to undo a controversial Obama administration rule aimed at minimizing coal mining's harm to surface water and groundwater.

Trump Budget Pick Heads To Full Senate After Panel Approval

A pair of Senate committees on Thursday approved the South Carolina Republican who will likely be President Donald Trump's top budget officer, sending through a conservative with sharp criticisms of government overspending.

Analysis

Trump Gets Scant Support On Eased FDA Oversight

President Donald Trump's interest in slashing regulations and speeding up approvals at the U.S. Food and Drug Administration is getting a cool reception from drugmakers and consumer advocates, many of whom see big risks and little reward.

Analysis

Gorsuch Could Tip Scales Against SEC's Admin Court

U.S. Supreme Court nominee Judge Neil Gorsuch has called for firmly separating government powers and has expressed skepticism of rampant agency rulemaking,

Krage & Janvey
Locke Lord
Lynn Pinker
Mayer Brown
McGuireWoods
Milberg LLP
Miller Shakman
Mintz Levin
Morgan & Morgan
Morgan Lewis
Morrison & Foerster
Nichols Kaster
Norton Rose Fulbright
O'Melveny & Myers
Ogletree Deakins
Pitt McGehee
Ropes & Gray
Ryan Smith
Shaw Keller
Skadden
Steptoe & Johnson LLP
Stueve Siegel
Sullivan & Cromwell
Trenam Law
Weinberg Wheeler
Weitz & Luxenberg
Wiley Rein
Wilkinson Barker
Wilkinson Walsh
Winston & Strawn
Wright & Talisman
Young & Associates

COMPANIES

Acorda Therapeutics, Inc.
Amazon.com Inc.
Ameren Corporation
American Bar Association
American Chemistry Council Inc.

views experts say bode poorly for the U.S. Securities and Exchange Commission as its fight to keep its administrative tribunal approaches the high court.

Analysis

Public Knowledge Chief Wary Of Empty Rhetoric At New FCC

New Federal Communications Commission Chairman Ajit Pai has taken an encouraging first step by focusing on closing the digital divide, nonprofit Public Knowledge's President and CEO Gene Kimmelman told Law360 in a recent interview, but he worries a critical gap may remain between Pai's stated goals and chosen tactics.

BANKING & SECURITIES

Analysis

Looming Repeal Of SEC Oil & Gas Rule Stokes Bribery Fears

The likely repeal of a regulation that requires oil and gas extraction companies to disclose their payments to governments will make it easier for those firms to hide potentially corrupt payments from their investors and allow them to continue greasing the palms of foreign officials, anti-corruption activists say.

House Committee Chair Wants Pause On DOL Fiduciary Rule

The House Rules Committee leader asked President Donald Trump on Wednesday for a longer delay for the U.S. Department of Labor's fiduciary rule for retirement account advisers, saying the government needs longer than a few months to "undo the damage" the rule would cause.

CFTC Grants Grace Period For EU Swap Margin Rules

The U.S. Commodity Futures Trading Commission declared on Wednesday that it will not take enforcement action until May 8 against dealers that follow European rules on swap margin requirements but don't comply with the

American Civil Liberties Union
American Farm Bureau Federation
American Petroleum Institute Inc.
Amneal Pharmaceuticals LLC
Anthem Inc.
Associated Press
AstraZeneca
BP p.l.c.
Buckeye GP Holdings L.P.
CKE Restaurants, Inc.
Center for Biological Diversity Inc.
Chevron Corporation
CropLife America Inc.
Dr. Reddy's Laboratories Limited
Edison Electric Institute Inc.
EmblemHealth Inc.
Exxon Mobil Corporation
Facebook
Financial Industry Regulatory Authority Inc.
Ford Motor Company
Herbalife Ltd.
Intellectual Ventures
Inter IKEA Systems BV
JPMorgan Chase & Co.
Key Energy Services, Inc.
Lyft Inc.
Marathon Petroleum Corp.
Mercedes-Benz
Momenta Pharmaceuticals, Inc.
Morgan Stanley
Mortgage Bankers Association
Mylan NV
National Association of Broadcasters
National Collegiate Athletic Association

American rules, while the commission grapples with whether the two sets of rules are compatible.

ENERGY & ENVIRONMENTAL

FERC Refusal-Rights Ruling Should Stick, High Court Told

The federal government on Wednesday urged the U.S. Supreme Court to reject efforts to reinstate a regional grid operator's rights of first refusal that gave incumbent transmission owners first crack at building new projects, saying the Federal Energy Regulatory Commission's rejection of those rights is consistent with the high court's precedent.

9th Circ. Revives Greens' Suit Over EPA Pesticide Approvals

The Ninth Circuit on Thursday partially revived a lawsuit filed by green groups alleging that the U.S. Environmental Protection Agency violated the Endangered Species Act when it registered certain pesticide ingredients and products without first consulting with other agencies.

Mich. Gov., State, City Dodge Flint Water Class Action

A Michigan federal judge tossed a proposed civil rights class action against Michigan Gov. Rick Snyder, the state, the city of Flint and other public officials Thursday over their alleged roles in a lead-tainted drinking water crisis that struck the town, finding the suit's claims are preempted by the federal Safe Drinking Water Act.

Pa. Lawmakers Raise Concerns Over Pipeline Redirection Bid

More than 50 Pennsylvania lawmakers told the state's Public Utility Commission on Wednesday that they were concerned that Laurel Pipeline Co. LP's plans to reverse the flow of a section of pipeline could have a negative impact on the price and supply of

National Federation of Independent Business
National Immigration Law Center
National Retail Federation Inc.
Natural Resources Defense Council
New York University
Nike Inc.
Otter Tail Corp.
Pfizer Inc.
PhRMA
Pre-Paid Legal Services Inc.
Public Knowledge
Qwest Communications International Inc.
Royal Dutch Shell PLC
SIFMA
SYSCO Corporation
Sarepta Therapeutics Inc.
Securus Technologies Inc.
Spectra Energy
State Compensation Insurance Fund
Sunoco
Synthon Holding BV
Target Corporation
Tax Foundation
Teva Pharmaceutical Industries Limited
Toshiba
Turner Broadcasting System Inc.
U.S. Chamber of Commerce
U.S. Foods Inc.
Verizon Communications
Wal-Mart Stores Inc.
Wells Fargo & Co.
Yamaha Motor Co.
Zeughauser Group LLC

GOVERNMENT AGENCIES

petroleum products in the state's western reaches.

Citing Lack Of Quorum, Sens. Demand FERC Pull Pipeline OK

Massachusetts Democratic Sens. Elizabeth Warren and Ed Markey asked the Federal Energy Regulatory Commission on Wednesday to pull its recent approval of the Atlantic Bridge pipeline project in New England, saying the commission's current lack of quorum deprives project opponents of the right to challenge the controversial pipeline expansion.

TRANSPORTATION & INFRASTRUCTURE

Chicago Hit With Suit Challenging Uber Ad Ban

A lawsuit filed in Illinois federal court Thursday seeks to undo a Chicago ordinance prohibiting advertisement in vehicles hailed through ride-booking services like Uber, arguing that permitting taxicabs to advertise while denying the same to smartphone-based applications is an unconstitutional restriction of speech.

Feds Slam Va. Motorists' Challenge To Dulles Tolls

The federal government has asked a judge to toss a proposed class action alleging the Metropolitan Washington Airports Authority is unconstitutionally using toll revenue from Dulles Toll Road motorists to fund Washington Metrorail's Silver Line extension, calling the class claims meritless and untimely.

Bus Cos. Join Truckers Targeting NY Thruway Tolls

The nation's largest bus company trade association hit the New York State Thruway Authority with a proposed class action in New York federal court Wednesday, joining a similar effort by a truckers group claiming the Authority

Bureau of Indian Affairs
Bureau of Labor Statistics
Centers for Medicare & Medicaid Services
Commodity Futures Trading Commission
European Commission
Executive Office for Immigration Review
Executive Office of the President
Federal Acquisition Regulatory Council
Federal Communications Commission
Federal Deposit Insurance Corp.
Federal Energy Regulatory Commission
Federal Reserve System
Federal Trade Commission
Fish and Wildlife Service
Food and Drug Administration
Internal Revenue Service
Metropolitan Washington Airports Authority
Morongo Band of Mission Indians
NAFTA
NATO
National Labor Relations Board
National Marine Fisheries Service
New Jersey Attorney General's Office
New York Attorney General's Office
Occupational Safety and Health Administration
Office of Surface Mining Reclamation and Enforcement
Port Authority of New York & New Jersey
Securities and Exchange Commission

improperly used more than \$1 billion in toll revenues to maintain canals upstate.

Christie GWB Case Alive As Judge Mulls Probable Cause

A New Jersey judge on Thursday kept alive an activist's criminal complaint accusing Gov. Chris Christie of official misconduct over lane closures at the George Washington Bridge, rejecting the governor's argument that the complaint has been dismissed in light of prosecutors saying they won't pursue charges in the matter.

EMPLOYMENT

Trump Admin Memo Delays OSHA Beryllium Rule For 11 Days

The effective date of a new rule created to protect workers from beryllium, a material that can cause lung disease, has been delayed by the Department of Labor for 11 days in order to comply with a memorandum issued by the Trump administration on Inauguration Day that halted and delayed new regulations, according to a Wednesday departmental notice.

House Moves To Nix Fair Pay And Safe Workplaces Rule

The House put through a bill to overturn the federal Fair Pay and Safe Workplaces rule Thursday, as part of a broader package aimed at undoing rule-makings under former President Barack Obama.

Group Wants Labor Nom Puzder's Divorce Records Public

A government accountability nonprofit asked a Missouri state court Thursday to unseal the divorce records of labor secretary nominee Andrew Puzder amid reports of domestic violence incidents, saying the Senate committee in charge of his confirmation should have a chance to review those records.

U.S. Attorney's Office
U.S. Consumer Product Safety Commission
U.S. Customs and Border Protection
U.S. Department of Defense
U.S. Department of Health and Human Services
U.S. Department of Homeland Security
U.S. Department of Justice
U.S. Department of Labor
U.S. Department of Transportation
U.S. Department of the Interior
U.S. Department of the Treasury
U.S. Environmental Protection Agency
U.S. House of Representatives
U.S. Office of Personnel Management
U.S. Senate
U.S. Supreme Court

DOD Outlines Civilian Exemptions To Federal Hiring Freeze

The U.S. Department of Defense on Thursday made public its guidance on which civilian positions it believes are exempt from a recently announced federal hiring freeze, as Republican lawmakers urged President Donald Trump to extend exemptions to include DOD acquisition staff.

GOP Reps Tell NLRB General Counsel: Pull Memo Or Quit

Rep. Virginia Foxx, R-N.C., head of the House Committee on Education and the Workforce, on Thursday ripped a recent memorandum issued by National Labor Relations Board general counsel Richard Griffin deeming college football players as employees under federal labor law, saying he should either rescind the memo or quit.

COMPETITION

FTC Should Ease Document Requests, Ohlhausen Says

Newly appointed acting head of the U.S. Federal Trade Commission Maureen Ohlhausen said Thursday she would work in the near term to review and streamline the agency's informational requests during investigations to reduce their strain on businesses.

PRIVACY & CONSUMER PROTECTION

CPSC Won't Follow Trump Order On Regs, Citing Safety

The head of the Consumer Product Safety Commission on Thursday said that President Donald Trump's recent executive order requiring that two regulations be nixed for each new rule passed doesn't apply to the independent agency and that following the order would undermine public safety.

Wal-Mart To Pay \$1M Over 'Biodegradable' Labels In Calif.

Wal-Mart Stores Inc. agreed to pay just under \$1 million to settle a consumer protection action by a group of California district attorneys over allegedly mislabeled plastic products that claimed to be "biodegradable" or "compostable," Alameda County said Wednesday.

GOVERNMENT CONTRACTS

GOP Trio Pushes Trump To Protect Whistleblowers

Sen. Chuck Grassley, R-Iowa, led a trio of Republican lawmakers on Wednesday in urging the Trump administration to take steps to protect government whistleblowers in order to encourage transparency in governance, saying guidance is needed particularly in light of reports of "gag" orders at several federal agencies.

INTERNATIONAL TRADE

Mexico Opens 90-Day Comment Period On NAFTA Changes

The Mexican government said Wednesday it has begun a 90-day comment process required to enact revisions to the North American Free Trade Agreement.

Conservatives Mobilize To Rein In Trump's Trade Powers

A coalition of small-government think tanks and advocacy groups on Thursday threw their weight behind a bill from Sen. Mike Lee, R-Utah, that would scale back the White House's trade authority, subjecting any new unilateral tariff increases to congressional review.

TAX

Rival Interest Groups Square Off Over GOP Tax Plan

Businesses are splitting into camps over a proposed GOP tax overhaul that would dramatically change how corporations are taxed in the U.S., with advocacy groups claiming

dozens of members have rallied in support and in opposition to the plan in the past two days.

CPAs Want IRS Guidance On Startup Research Credits

The American Institute of CPAs asked the Internal Revenue Service for new regulations Wednesday to provide clarity on research credit benefits recently expanded by Congress for small startups, with a wish list that includes a clear definition of gross receipts and better-defined eligibility criteria.

Trump Targets Law Blocking Churches From Political Activity

President Donald Trump pledged Thursday to eliminate an Internal Revenue Code provision that prevents certain tax-exempt groups such as churches from political activity, saying that the law undermines religious freedom.

IMMIGRATION

Top Judge Ranks Detention Cases Over Child Rocket Docket

U.S. Chief Immigration Judge MaryBeth Keller instructed all immigration judges and staff Tuesday to make detention cases a top priority immediately, switching the government's focus from unaccompanied children in the face of the Trump administration's potential new immigration policies.

Gov't 'Provisionally' Revokes Visas From 7 Banned Nations

The U.S. State Department has provisionally revoked most visas from the seven predominantly Muslim countries blocked from entering the U.S. by President Donald Trump's executive order last week, according to a notice filed in Massachusetts federal court Tuesday.

DHS Watchdog Probing Immigration Ban Implementation

The U.S. Department of Homeland Security's watchdog said Wednesday that it will be

probing implementation of perhaps the most controversial of President Donald Trump's executive actions as nascent commander-in-chief, citing complaints and congressional pressure to investigate implementation of the ban on immigration from seven Muslim-majority countries.

ACLU Says Trump Hasn't Provided Full List Of Detainees

The ACLU and other groups challenging the Trump administration's ban on immigration from seven majority-Muslim countries charged Thursday in Brooklyn federal court that they have not received a full list of people who have been detained or removed, despite a federal judge's Saturday order to provide that information and to cease deportations.

TELECOMMUNICATIONS

FCC Pilots Plan To Release Draft Items Weeks Before Vote

Federal Communications Commission Chairman Ajit Pai on Thursday released the text of an order and a proposal set for a vote at this month's meeting to pilot a process change that would make drafts of items public weeks before they receive a vote, describing it as a push for transparency.

FCC's O'Rielly Warns To Be 'Leery' Of Broadband Spending

Republican Federal Communications Commissioner Michael O'Rielly urged lawmakers to be "leery" of communications infrastructure spending, saying on Wednesday that if new government money must be put toward broadband, it should be done in a way that does not create regulatory roadblocks.

NYC Wants Regulations For 911 Apps

The city of New York on Thursday urged the Federal Communications Commission to hold proceedings to adopt rules to regulate 911 applications for smartphones and prohibit the

sale of 911 apps that provide misleading data to dispatchers.

NJ Inmate Call Co. Sues Gov. Christie Over Rate Caps

A company providing inmate calling services at two county jails in New Jersey has asserted in a New Jersey state court lawsuit against Gov. Chris Christie and others that a new state law improperly sets per-minute rates at less than what the business requires to break even.

CALIFORNIA

Sens. McCain, Flake Introduce Bill To Split 9th Circ.

Republican lawmakers on Thursday renewed their push to break up the Ninth Circuit Court of Appeals — the country's largest in terms of caseload and area covered — and create a new circuit with the jurisdictions of California, Hawaii and Oregon.

EXPERT ANALYSIS

The IRS Needs Help

As President Donald Trump's nominee for treasury secretary, Steven Mnuchin, testified in his confirmation hearing, the Internal Revenue Service is underfunded and needs more manpower. Because the agency has lost nearly 15,000 staff positions in five years, and struggles with outdated technology, its tax enforcement capabilities have been devastated, say Kat Saunders Gregor, Gabrielle Hirz and Hillel Nadler of Ropes & Gray LLP.

Opinion

Calif. Retention Of Holder Is A Risky Legal Proposition

California's hiring of former U.S. Attorney General Eric Holder and his team suggests the state's Legislature plans to fight any effort to curtail its greenhouse gas reduction efforts or to allow pullback on any other policies. But in its haste to take an aggressive stand against

President Donald Trump, the heads of the state Senate and Assembly have exhibited questionable judgment, says Jeffrey Dintzer of Gibson Dunn & Crutcher LLP.

The Privacy Implications Of Trump's Immigration Order

President Donald Trump's recent executive order expanding enforcement of U.S. immigration laws is a departure from how the federal government previously has treated personally identifiable information of those who are not U.S. citizens or lawful permanent residents, in many contexts, including the processing of visas and immigration records, say attorneys with Ropes & Gray LLP.

Trump Will Likely Hinder Federal Recognition For Tribes

If history is any guide and President Donald Trump is consistent with Republican policies, the Trump administration will likely roll back several of the Obama's administration's policies and regulations that have made it easier for Native American tribes to gain federal recognition, say Ryan Smith and Michael Smith of Brownstein Hyatt Farber Schreck LLP

ACA's Impact On 'Most Likely' Cost Of Future Care

Notwithstanding continued opposition, the Affordable Care Act remains the governing law of the land. As a result, legislators, judges and attorneys must determine whether evidence of the cost of coverage under the ACA should now be viewed as the "most likely" cost of future care, say attorneys at Weinberg Wheeler Hudgins Gunn & Dial LLC.

Can Federal Agencies Reverse Course Under Trump?

The next four years will see litigation that explores the extent to which the Trump administration can alter or reverse the regulatory policies of the Obama administration without having to enact new legislation. The U.S. Supreme Court has recently made clear

that there are fewer limits to an agency changing course than had previously been thought, says Steven Gordon of Holland & Knight LLP.

Opinion

An Open Letter To The New FTC Chair On Pyramid Schemes

While network marketing can be a tool for entrepreneurial success, some firms still rely on tricks and get-rich-quick claims. Outgoing Federal Trade Commission Chairwoman Edith Ramirez addressed the issue of pyramid schemes in an important speech last fall. The new head of the FTC should give Ramirez's ethical guidelines in this area the force of law, says Jeff Bell, CEO of LegalShield.

LEGAL INDUSTRY

Analysis

Why A Norton Rose Fulbright-Chadbourne Merger May Work

Global legal giant Norton Rose Fulbright and New York-based Chadbourne & Parke LLP are discussing a possible merger, the law firms said Thursday, a tie-up that experts say could give both firms a boost in their ability to compete in a cutthroat legal market.

Law360's Weekly Verdict: Legal Lions & Lambs

A sanctions order against Cooley LLP and client Invincea Labs for discovery failures in the course of an infringement case landed the law firm among this week's legal lambs, while Locke Lord LLP and its defense team at Miller Shakman & Beem LLP took the lion title after escaping RICO charges at the Seventh Circuit.

Bar Prep Co. Says Schools, Rival Must Face Collusion Suit

LLM Bar Exam LLC on Wednesday told a New York federal court that rival Barbri Inc. and several law schools must face its \$50 million suit alleging they conspired to stifle competition for bar exam prep courses targeted at foreign